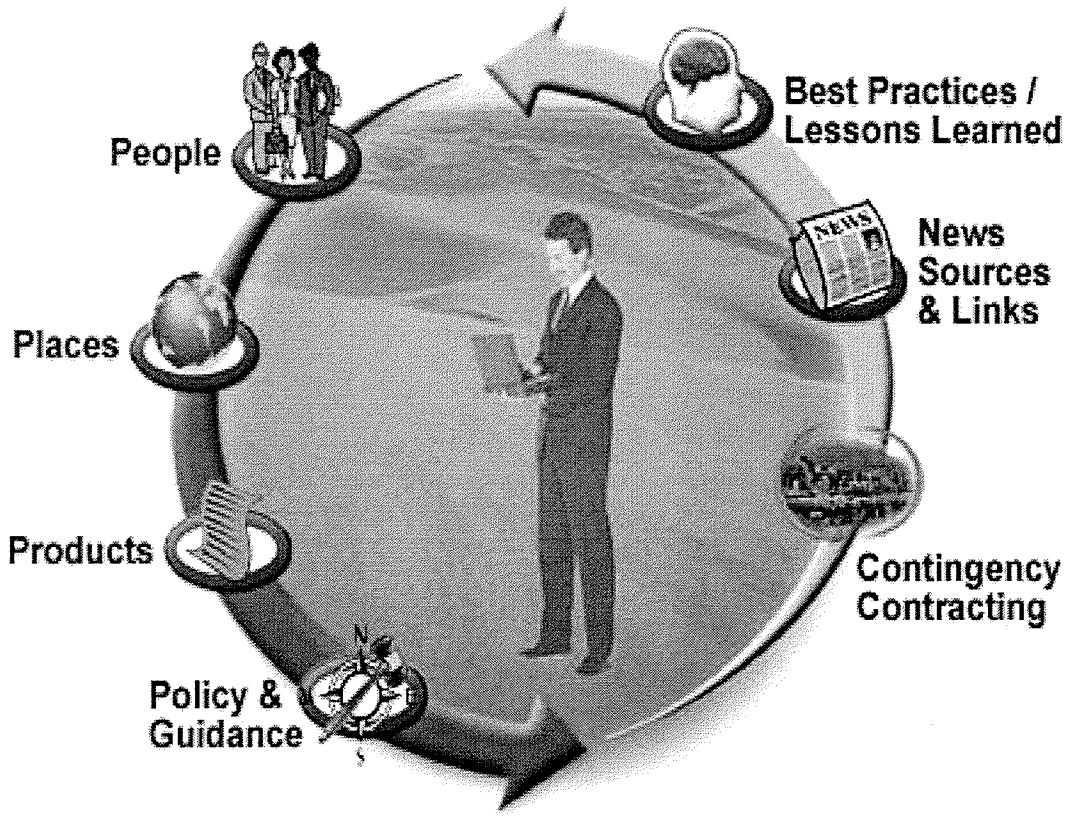
Contractor Foreign Travel Requirements



References:

- DoDI 3020.41 Contractor Personnel Authorized to Accompany the US Armed Forces
- AR 715-9 Contractors Accompanying the Force
- Federal Acquisition Regulation (FAR) 28.305
- Defense Federal Acquisition Regulations (DFARS) 225.74
- Procedures, Guidance & Information (PGI) 225.74
- DoD 4500.54-G Foreign Clearance Guide https://www.fcg/pentagon.mil
- http://www.acq.osd.mil/dpap/pacc/cc/index.html
- http://www.acq.osd.mil/dpap/pacc/cc/areas_of_responsibility.html
- https://acc.dau.mil/CommunityBrowser.aspx?id=18014&lang=en-US

KO responsibility continued

- Comply with any theater business clearance/contract administration delegation requirements set forth by the geographic combatant commander.

Checklist..things to consider when writing contract

- 1. Whether the contemplated acquisition will duplicate existing work being performed in area
- 2. The availability of technically qualified and properly trained Government civilian/military personnel to oversee the performance of the contract in the COCOM's AOR. **Fax-Back Form for Germany**
- 3. The applicability of any international agreements to the acquisition ie..**SOFA for Germany and Japan, Korea.**
- 4. Compliance with area-specific, anti-terrorism security guidance set forth by the command anti-terrorism officer, to include soliciting anti-terrorism officer guidance and recommended security measures into the requirements package.
- 5. Whether there are any requirements for use of foreign currencies, including applicability of U.S. holding of excess foreign currencies.
- 6. Information on taxes and duties from which the Government may be exempt. **Fax-Back Form**
- 7. If acquisition requires performance of work in the foreign country, standards of conduct for the prospective contractor and consequences for violation of standards of conduct.
- 8. Availability of logistical and other Government-furnished support and equip. for contractor personnel, ie. Berthing, messing, intra-theater transportation, medical support, morale, welfare, and recreation support, postal support, force protection support, organizational clothing and personal protective gear (body armor and gas masks). **LOA Form**

Checklist continued

- 9. Contractor will employ foreign workers, whether a waiver of the Defense Base Act will be required (FAR 28.305).
- 10. Whether contractor personnel will need authorization to carry weapons for the performance of contract.
- 11. If contract will include the clause DFARS 252.225-7040, Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the US.
- 12. Other requirements associated with contractor personnel to include deployment-related training, accountability (registration in Synchronized Pre-deployment and Operational Tracker **SPOT**), medical and dental qualifications, theater entrance and country clearance requirements. **AT, SERE 100.1, Human Rights, USFK, AOR briefing, PRO-FILE, AT Plan and/or PACOM tracking system.**
- 13. Any other requirements of the website for the country in which the contract will be performed or the designated operational area to which deliveries will be made.

PACOM AOR/Japan and Korea

- Work performed in Japan or Korea, U.S. –Japan or U.S. –Korea bilateral agreements govern the status of contractors and employees, criminal jurisdiction, and taxation. http://www.pacom.mil by clicking on "Regional Resources-Links".
- Commander, USFK, is primarily responsible for interpreting the Status of Force Agreement (SOFA) and local laws applicable to U.S Forces in Japan and for requirements in support of USFK.

CENTCOM AOR

- Work performed in specified countries in USCENTCOM AOR, follow theater business clearance/contract administration delegation policy as set forth in OSD policy letters in PGI, specific theatre business clearance/contract admin delegation instructions.
- http://www.acq.osd.mil/dpap/pacc/cc/areas_of_respnsibility.html (click on CENTCOM area of responsibility).

EUCOM AOR

- Fax-back Form applicable for Germany if traveling less than 90 days for purposes other than conferences, meetings.
- This form does not confer approval under NATO status of Forces Agreement (NATO SOFA) or any associated privileges.
- SPOT tracker and LOA applicable if traveling over 30 days to Kosovo, Israel, Georgia, Azerbaijan and Armenia and contract is valued over $25,000.
- http://www.eucom.mil/documents/EUCOM-SPOT-Task-Order--Theater-Entrance-Requi
- http://www.eucom.mil/Policies/Contractors/Guidance-Contracting-Officers.asp

Bottom Line

- If traveling on DoD funding and DoD mission, it is considered DoD-sponsored for Foreign Clearance purposes.
- All applicable requirements apply with the exception of Foreign Nationals who may not be able to access the DoD IT systems to take training or be in receipt of the DoD Foreign Clearance Guide and other regulations. This would only be a situational awareness in obtaining required clearances.