



DEPARTMENT OF THE ARMY
HEADQUARTERS, 2D INFANTRY DIVISION (COMBINED)
UNIT #15041
APO AP 96258-5041

REPLY TO
ATTENTION OF:

EAID-CG

DEC 2 2015

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: 2d Infantry Division Command Policy Letter # 10-6, United States Representatives & Commander's Responsibilities under the US/RoK Status of Forces Agreement

1. Area Commanders must ensure immediate response whenever an individual who has Status of Forces Agreement (SOFA) status is apprehended by the Republic of Korea (RoK) authorities. Lack of prompt response delays their questioning, impedes RoK criminal investigations, and is inconsistent with our obligations under the SOFA. 2ID/RUCD subordinate commanders must therefore ensure that they have an adequate number of "United States Representatives," or SOFA Representatives, trained, ready, and able to respond to SOFA incidents on a 24-hour a day basis.

2. Therefore, the following policy and procedures are effective immediately:

a. All MSCs will ensure they have adequate numbers of predesignated, pre-trained SOFA Representatives available and on quick recall at all times. They must be ready to respond for that Commander's unit when RoK authorities desire immediate questioning of any apprehended individuals with SOFA status. This is true whether the apprehended individual is a soldier, civilian, invited contractor, or dependent. The SOFA Representative is required to respond with the Military Police not later than two hours from Korean National Police notification of an incident to the Provost Marshal's Office.

b. SOFA Representatives must, at a minimum, be United States Personnel, in the grade of E-6 or above (GS-6 or above), and unrelated to the suspect by blood or marriage.

c. Each MSC will ensure that each Company within their ranks has, at a minimum, 4 trained SOFA Representatives.

d. All SOFA Representatives will be trained and briefed by the Office of the Staff Judge Advocate, International Law Division, regarding their duties and responsibilities IAW USFK Reg 1-44, para. 6.k.(1) and (2). All SOFA Representatives will then obtain

EAID-CG

SUBJECT: 2d Infantry Division Command Policy Letter # 10-6, United States
Representatives & Commander's Responsibilities under the US/RoK Status of Forces
Agreement

completed copies of CJ Form 5 (USFK Reg 1-44, Appendix J), appointing them as a
SOFA Representative for any cases arising within their Commander's unit.

3. This policy is effective immediately and will remain in effect until rescinded, revised,
superseded, or USFK Reg 1-44 is revised and published.
4. The proponent for this Policy Letter is the Office of the Staff Judge Advocate,
International Law Division, at DSN 732-7501.



THEODORE D. MARTIN
Major General, USA
Commanding

DISTRIBUTION:

A