

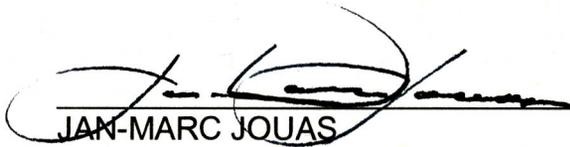


JOINT COMMITTEE
UNDER
THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA
STATUS OF FORCES AGREEMENT

December 9, 2014

MEMORANDUM OF THE JOINT COMMITTEE

The Agreed Recommendation of the Commerce Subcommittee concerning the United States Request for Review of Categories of Non-SOFA Persons in United States Forces Korea (USFK) Educational Institutions (JC Task C-14-1) is approved.



JAN-MARC JOUAS
Lieutenant General
United States Air Force
United States Representative



MOON SEOUNG-HYUN
Director General, North American Affairs
Ministry of Foreign Affairs
Republic of Korea Representative



COMMERCE SUBCOMMITTEE
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1 DEC. 2014.

MEMORANDUM FOR The Joint Committee

SUBJECT: Recommendation Regarding the United States Request for Review of Categories of Non-SOFA Persons in United States Forces Korea (USFK) Educational Institutions (JC Task C-14-1)

1. REFERENCES.

a. Joint Committee Memorandum: United States Request for Review of Categories of Non-SOFA Persons in USFK Educational Institutions (JC Task C-14-1), date 15 October 2014.

b. Recommendation Regarding Non-SOFA Persons in USFK Educational Institutions, 7 Aug 98 (179JC, Encl 57, 17 Dec 99, p. 16385-16387).

c. Recommendation Regarding Non-SOFA Persons in USFK Educational Institutions (Task C-01-1), 3 Dec 01, (181JC, Encl 58 of Encl 2, 24 May 02, p. 200-201).

1. This recommendation is submitted in response to Reference a to review Reference b and c concerning the interpretation of paragraph 2(b), Article XV, SOFA, to ascertain whether other categories of non-SOFA persons, whose activities are directly or indirectly related to USFK, might be allowed to take classes at USFK educational institutions on a space available basis. The recommendations below are all inclusive and replace the categories listed in Reference b and changed in Reference c.

2. Recommendations.

a. The Republic of Korea Government (ROKG) will allow the following categories of non-SOFA persons, whose activities are directly or indirectly related to USFK, to take classes at USFK educational institutions on a space available basis:

(1) Korean Citizens while they are permanent employees of USFK. Permanent employees of USFK include only those Korean Citizens who are employed as Korean General Schedule or Korean Wage Board employees as validated by a current USFK identification card and certificate of employment.

(2) Korean Citizens while they are employed by a USFK educational institution as a benefit of employment.

(3) Republic of Korea military personnel (including KATUSA personnel) while they are assigned to USFK/CFC/UNC.

(4) United States Armed Forces Retirees, Widows and their dependents.

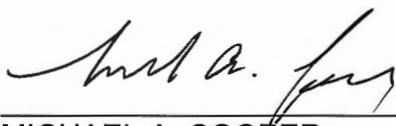
(5) Citizens of the United States and English-speaking, third-countries posted on temporary assignment in the Republic of Korea until a foreign university is accredited in Seoul to provide instruction in English in the relevant discipline.

b. Individuals who meet the criteria stated in paragraph 2a above and have been accepted and started a degree granting program are guaranteed the right to continue to graduation even if they no longer qualify due to changed circumstances. For example: a Korean Augmentation to the United States Army (KATUSA) who separates from Republic of Korea Army (ROKA) or a USFK Korean National employee is affected by a reduction in force.

c. USFK will provide to the ROKG a list of all students in categories 2a(1) - 2a(5) at the end of each enrollment period. The list will include, as practicable, school name, student name, student identification number, KN identification number (for Korean Citizens), country of citizenship and category.

d. Both parties agree that any violation of this agreement by a USFK educational institution may be cause for withdrawal of invited contractor status in accordance with Paragraph 2, Article XV, SOFA.

3. This recommendation shall not become effective unless approval by the US-ROK SOFA Joint Committee, and may be revised or amended by the Joint Committee. Proposed changes may be submitted to the Joint Committee through the Commerce Subcommittee.



MICHAEL A. COOPER
Chairman, US Component
Commerce Subcommittee



DIRECTOR KIM JEONGIL
Chairman, ROK Component
Commerce Subcommittee