

SOFA Status – What does this Mean to You?

The Kaiserslautern Military Community (KMC) is the largest military community outside the Continental United States, which makes it easy to forget that you are actually a resident of a foreign country. Traveling within Germany and crossing International borders into neighboring European nations is as easy as crossing from one U.S. state to another. But what happens when you are stopped by police for a routine check or you board an airplane to travel to another country and return to Germany? How do you identify yourself as a legal resident and not a regular tourist visiting Germany? Here is the answer:

Active duty U.S. military members assigned to Germany only need to present their military ID cards and NATO or travel orders. U.S. government civilian employees, DoD-sponsored contractors and all eligible family members require a Status of Forces Agreement (SOFA) certificate in their passport to show that they are a legal resident of Germany.

What are the SOFA status benefits and responsibilities? SOFA is defined as a treaty that sets out the terms under which the members of the force and the civilian component of a foreign NATO-member state are allowed to operate in another NATO state. The SOFA certificate identifies the bearer as a person who is entitled to unrestricted entry and exit from Germany and to benefits, privileges and protection under the NATO SOFA and the German Supplementary Agreement. These benefits include the exemption from having to register your presence with the German authorities and paying German income tax. You can also purchase certain goods tax-free to include vehicles.

The SOFA treaty gives us many benefits, but it also means that we have certain responsibilities. Individuals are responsible for learning and obeying German laws, carrying an official ID card issued by the sending state, registering vehicles with USAREUR and having a SOFA certificate in their passport to prove their entitlement to live and travel within Germany.

Who is entitled to a SOFA certificate? In order to be eligible you must belong to one of the following categories: U.S. DoD civilians or DoD-sponsored contractors and their family members as well as military dependents accompanying the force. Certain foreign nationals from NATO-sending states employed by the armed forces are also eligible. Local national (German) or foreign employees from countries that are not members of NATO are not entitled to SOFA status.

What documents do I need to receive a SOFA certificate? Command-sponsored family members and stateside-hire civilians should receive a SOFA stamp in their no-fee passport before arriving in Germany. The documentation needed for U.S. Forces members to obtain SOFA certificates for their foreign national or non-command-sponsored dependents include their PCS or TDY orders assigning them to Germany and their dependents' passports and ID cards. For local hire civilians, contractors and their family members, an AE Form 600-77A is required from their servicing personnel office or sponsoring agency. In addition, the dependents' passports and valid ID cards are also required. All family members must be enrolled in the Defense Enrollment Eligibility Reporting System (DEERS). If dependents do not possess a valid ID card (i.e. children under the age of 10), the sponsor will need to provide a DD Form 1172-2 as verification that the dependents are enrolled in DEERS.

Why do I need a SOFA certificate? Although not all customs officers check for a valid SOFA certificate that should not be a risk you are willing to take. If caught without it, violators could face fines or even deportation. At a minimum, your continued travel to your destination in Germany will be delayed. Officials have become less lenient when checking for SOFA certificates since noticing a large influx of travelers without valid SOFA identification. Random security checks throughout Europe have also increased due to the current refugee situation. Citizens or nationals traveling on passports from a country that requires a visa for Germany must obtain a SOFA certificate from the Regional Director, IMCOM-Europe G-1, prior to arrival in Germany. You may refer to the Foreign Clearance Guide (FCG) for a list of these countries at <https://www.fcg.pentagon.mil/fcg.cfm>; please note that this website can only be accessed from a .gov domain. Failure to obtain SOFA identification prior to arrival in Germany may result in denial to enter Germany and immediate deportation. U.S. citizens and foreign nationals from countries not requiring a visa for Germany, may enter without a SOFA certificate if unable to obtain one prior to departure. However, they should carry a copy of the sponsor's travel orders to Germany and must visit their servicing passport office to request the identification certificate within 90 days of arrival.

What do I need to visit a foreign country as a tourist? Active duty military members must obtain a tourist passport to enter a foreign country as a tourist. When returning to Germany, they will need to show their military ID card and travel orders assigning them to Germany. If on leave, they should also carry a valid leave form when traveling in and out of Germany; leave forms need to identify the unit assigned or attached to in Germany. U.S. citizen family members, civilians and contractors must also obtain a tourist passport to visit foreign countries. Command-sponsored civilians and their family members as well as military family members will need to carry both the no-fee and tourist passport when on leisure travel and present the tourist passport when entering a foreign country and the no-fee passport with SOFA stamp when returning to Germany. The use of a no-fee passport for leisure travel is not authorized and at your own risk. All non-command-sponsored family members, local hire civilians and contractors will receive a SOFA card for their tourist passport since they are not eligible for a no-fee passport. Finally, always check the FCG for passport and visa requirements before making any travel plans!

Practice the Rule of Three! Eligible individuals should always carry a valid and unexpired DoD ID card, passport(s) and SOFA certificate when traveling!

Courtesy of the Ramstein Passport Office