

**UNDER SECRETARY OF STATE FOR
ARMS CONTROL AND INTERNATIONAL SECURITY
WASHINGTON**

August 23, 2013

**MEMORANDUM FOR THE CHAIRMAN, INTERNATIONAL
SECURITY ADVISORY BOARD (ISAB)**

SUBJECT: Terms of Reference – ISAB Study on Status of Forces Agreements

The ISAB is requested to undertake a study of the strategies for and challenges to U.S. negotiation of Status of Forces Agreements (SOFAs). The United States is party to more than 100 agreements addressing the status of U.S. armed forces while present in a foreign country. SOFAs define the legal status of U.S. Department of Defense personnel and property in the territory of another nation and set forth rights and responsibilities between the United States and the host government.

It would be of great assistance if the ISAB could examine and assess:

- The results and status of recent U.S. efforts to negotiate SOFAs, including – reactions and responses from host nations to sought for U.S. rights, privileges, and immunities, including criminal and civil jurisdiction, the wearing of uniforms, the carrying of arms, tax and customs relief, entry and exit of personnel and property with military identification and travel orders, and resolving damage claims;
- The widening gap between provisions desired by the U.S. Department of Defense and those for which host nations are willing to provide consent;
- Host nation perspectives on U.S. SOFAs and the basis of host nation objections to U.S. SOFA provisions; and
- Improved strategies for U.S. negotiation of future SOFAs, including a view on whether the increased use of public diplomacy would be fruitful.

During its conduct of the study, the ISAB may expand these tasks, as it deems necessary. I request that you complete the study in 270 days. Completed work should be submitted to the ISAB Executive Directorate no later than June, 2014.

The Under Secretary of State for Arms Control and International Security will sponsor the study. The Assistant Secretary of State for Political-Military Affairs will support the study. Ms. Amy Gordon will serve as the Executive Secretary for the study and Mr. Chris Herrick will represent the ISAB Executive Directorate.

The study will be conducted in accordance with the provisions of P.L. 92-463, the "Federal Advisory Board Committee Act." If the ISAB establishes a working group to assist in its study, the working group must present its report or findings to the full ISAB for consideration in a formal meeting, prior to presenting the report or findings to the Department.



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