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# Department of Defense Contractor Personnel Office (DOCPER)

**NATO SOFA Status Accreditation for Contractor Employees  
in Germany and Italy**



# DoD Contractor Personnel Office

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**Mission:** Carry out provisions in bilateral agreements with Germany and Italy allowing contractors to have NATO SOFA status

**NATO SOFA covers the force and the civilian component, not contractors; Contractors fall under separate side agreements:**

- **Germany:** Supplementary Agreement (between Germany and the “sending states”), plus US-Germany bilateral agreements of 1998 and 2001
  - AE Reg 715-9 contains most information needed regarding status accreditation under Articles 72 and 73
- **Italy:** US-Italy “Shell Agreement” of 1995

**BOTTOM LINE:** DOCPER “accredits” DOD contractor employees (authorizes them to have NATO SOFA status) in Germany and Italy



# DoD Contractor Personnel Office

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- **DOCPER**

- HQ USAREUR G1, Clay Kaserne – USAG Wiesbaden

**Group Box:**

[usarmy.wiesbaden.usareur.mbx.odcs-g1-docper@army.mil](mailto:usarmy.wiesbaden.usareur.mbx.odcs-g1-docper@army.mil)

**Website:**

<https://www.europeafrica.army.mil/contractor/>

**Official Mail:**

Department of the Army

HQ USAREUR- AF G1

ATTN: G1-CPD ODCS DOCPER (AEPE-CD)

Unit 29351, Box 99

APO AE 09014-9351

OFFICIAL BUSINESS



# Websites and Tools

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## Platform to Process Contracts and Applications:

- European Contractor Online Processing System (ECOPS)
- <https://ecops.ext.eur.army.mil/>
  - COR / VREP Guide

## DOCPER Informational Website:

- U.S. Army Europe and Africa - Department of Defense Contractor Personnel Office
- <https://www.europeafrica.army.mil/contractor/>
  - Frequently Asked Questions -- and Answers
  - Contractor Accreditation Process for Germany
  - Contractor Accreditation Process for Italy
  - Crafting Effective Job Descriptions
  - Crafting a Well Written Contract Synopsis
  - AE Reg 600-700 ID Cards and Individual Logistic Support

## Website to Initiate CAC Application:

- Trusted Agent Sponsorship System (TASS)
- <https://tass-pki.dmdc.osd.mil/tass>



# New Contracts Requests for NSSACE

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## How a record gets into ECOPS

- ALL New Contract Actions and Follow On Contracts are:
  - Initiated by the COR via email to:  
[usarmy.wiesbaden.usareur.mbx.odcs-g1-docper@army.mil](mailto:usarmy.wiesbaden.usareur.mbx.odcs-g1-docper@army.mil)
  - Must include the Contracting Action Submission Form, PWS, Signed contract, and COR Designation Letter

## Access to ECOPS - European Contractor Online Processing System

- Upon favorable review by DOCPER, the COR is granted access to the contract record in ECOPS, and will be assigned a DOCPER Contract and Application Analyst
- Note – New CORs on existing contracts are granted access to ECOPS via the “Contract MOD” tab; incumbent CORs grant access
- Vendor Representatives are added to the contract record by CORs
  - CORs can delegate responsibility to Vendor Representatives to aide in the processing of Individual Applications and Application Modifications



# New Contracts Requests for NSSACE

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- **Processes and Procedures**

- What causes an initial Contract Submission Request to be rejected?
  - Incomplete Contracting Action Submission Form (POP, blanks)
  - Unsigned Contract
  - Scope of Work / JDs appear not technical in nature
  - PWS/Contract does not show Host Nations of Germany or Italy as the region supported
  
- **Accreditation Category Questions on Submission form assist** DOCPER in determining whether a Contract supports:
  - Troop Care / Troop Care IT Contracts (Germany) – Art. 72
  - Technical Expert Contracts (Germany) – Art. 73
  - Analytical Support Contracts (Germany) – Art. 72
  - Technical Representative Contracts (Italy)



# New Contract Record Opened

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- **Record Opened in ECOPS**

- DOCPER Analysts are now assigned
  - Analysts broken into Teams, consisting of a Contract and an Application Analyst
  - Correspondence between the COR/VRep should now be between assigned DOCPER personnel
  - Personnel assigned based upon Accreditation category, your particular assigned analyst is a SME for that particular type of contract



# New Contract Record Opened

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## Record Opened in ECOPS – What Next?

- COR / VREP Guide
  - <https://ecops.ext.eur.army.mil/>

## Completing New Record in ECOPS

- COR / VREP Guide
- Complete the Contract profile, English Language Synopsis, upload job descriptions, and submit to your analyst, via the "Status/Actions" tab within ECOPS
- Easiest method is to go tab by tab
  - Don't forget to click "Submit to DOCPER" in the Status/Actions tab





# Contract Profile – ECOPS

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- **DOCPER provides the COR** with LOGIN access to the Electronic Contractor Online Processing System (ECOPS) – once opened in ECOPS
- COR can designate a vendor representative as “Vendor Representative” (VRep), and delegate most of the data entry to the Vrep
- **COR provides DOCPER** with contract information and documentation through ECOPS
  - Upload the executed contract document
  - Provide contract information, name of vendor, name and contact info of the VRep, position locations
  - Upload the executed contract document and PWS/SOW
  - Upload the job description(s) which articulate duties and minimum education/experience requirements
  - NOTE: VRep can do the data entry, but only the COR can make formal submissions to DOCPER



# New Contract Record - Tips

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## Common Mistakes and Tips – Contracts

- Poorly Crafted English Language Synopsis (see website)
- Job Description does not utilize required verbiage: (see website)  
*Or*  
Job title not matching Description
- POP dates due not match contract
- Sub-contractor documentation and data fields not entered
- COR address field not completed
- Not returning the record back to DOCPER
- Failure to upload the: PWS, COR Designation Memo, Job Descriptions, Signed Contract, Subcontract memo (if applicable)
- Job Description does not match Job location/title
- Salaries listed for positions are basic salaries (not inclusive of benefits) and match job offer letters



# Individual Applications – ECOPS

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- **COR / VRep generates ECOPS login for each applicant**
  - Applicant provides information necessary to determine if the applicant is qualified and not “ordinarily resident”
  - Enter resume in Resume Builder
  - Upload applicant’s offer letter or employment verification letter as signed by a company representative not older than 2 months.
  - Upload the Passport Picture page
- **COR reviews** for accuracy and submits application for review
- **RENEWALS:**
  - COR or Vrep logs into ECOPS, selects the applicant and request a MOD for Visa/Soggiorno update (Italy)
  - COR will check the renewal documents in ECOPS and submit to DOCPER for review
  - DOCPER reviews the application and provide a new DOCPER Accreditation Letter, new DD 1172-2, as appropriate, and a AE 600-77a (Germany only)



# Individual Applications - Tips

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## Common Mistakes and Tips – Applications

- Individual Applications can be submitted once record is in “Pending Authorities” status
- TE can be processed “conditionally” under Military Exigency
- Not submitting back to DOCPER for processing #1- click “submit to DOCPER”
- 715-9C not signed (wet signature, or digital CAC signature only)
- Passport – not signed, need at least 7 months remaining if outside the EU
- Resume not detailed enough – showing skills needed for JD
- Watch the 90 days (Germany) – Ordinarily Resident Status
- Remuneration package needs to be inputted prior to generating form 715-9c
- There is not Military Exigency for Italy applications



# Individual Applications - Tips

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## Common Mistakes and Tips – Applications

- Ordinarily Resident section must be completed if applicant has been in GE w/o status
- Applicant must use physical address, no APO/FPO addresses; current address
- A new 715-9c must be generated if any edits are made after initial generation
- Annual salary, location and title on the Job Offer must match form 715-9c
- Job Offer must be on subcontractors letterhead, if applicable
- Job Offer Letter must be dated 90 days or less, signed by applicant/company
- The accreditation process **MUST** be completed before the individuals arrive in Italy
- Contracted employees cannot legally enter Italy to perform work until they have received a mission visa
- The Italian Consulate will not issue a mission visa to a contractor unless they have an accreditation letter from the USSSO through DOCPER
- There is not military exigency in Italy.



# Status Accreditation Overview – Germany

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**Technical Expert (TE) - Article 73:** accomplishes complex tasks of a technical-military or technical-scientific nature

**Analytical Support (AS) - Article 72:** military planning and intelligence analysis

**Troop Care (TC) - Article 72:** provides care to members of the force (doctors, nurses, physical therapists, social workers, and military career counselors)

**Troop Care Information Technology (TC-IT) - Article 72:** IT support to TC missions



# Status Accreditation Overview –Germany

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## Article 72 (AS, TC, TC-IT)

- Phase 1 approval comes from the Ministry of Foreign Affairs (MFA)
- Phase 1 approval focuses on the company in regard to a specific contract and establishes approval via a Note Verbale(NV)
- NV process is very formal and structured
- Jobs must be mapped to pre-approved position descriptions (AS or TC-IT) or job titles (TC)

## Article 73 (TE)

- Phase 1 approval comes from respective Laender authorities
  - Phase 1 approval focuses on the contract and the job position
  - Positions must be of a highly technical or scientific nature dealing with equipment and require a combination of higher education and/or specialized experience
- For both Article 72 and 73, Phase II Approval (individuals) runs through the Laender authorities



# Status Accreditation Overview – Italy

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- **“Civilian Personnel” (CP)**
  - Closely affiliated with the United States Armed Forces and under their authority, but not employed directly by them, and not included in the Civilian component.
  - **Technical Representatives:**
    - The definition of a TR is broader than “Technical Experts” (Germany). The definition also includes: Troop Care service providers (doctors, dentists, etc.), and Analytical Support service
    - Job is sufficiently complex, requiring a high degree of skill/ knowledge? (based on the SOW, JD)
    - A bachelor’s degree in a related field OR; An associate’s degree in a related field plus 4 years specialized experience OR; High School diploma and at least 8 years of specialized experience
  - **Civilian Personnel:**
    - Civilian Personnel (CP) may be treated similarly as members of the civilian component for purposes of individual logistical support.
    - bank and credit union employees, university employees  
religious activity resource personnel members





# Status Accreditation- Subcontractors

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- **Technical Expert and Technical Representative positions**
  - Information regarding the sub-vendor must be included on Contract Notification Form
  - Applicants apply and are treated as if employees of the prime-vendor
- **Analytical Support positions**
  - Each sub-vendor requires *individual enterprise approval* as if they were a separate prime-vendor
  - The prime-vendor must provide a Prime-Sub Agreement
  - The COR must submit a separate “Detainee Memo”
  - Applicants can only apply for AS positions specifically approved for their company
  - Sub-vendors must only provide a “small” number of total employees supporting the contract effort
- **TC and TC-IT positions not approvable if subcontracted**



# Decision Timeframes – Germany and Italy

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## Germany:

### **Contract Notification (Article 73) - 8 weeks**

- Review by DOC PER - 5 day objective
- German authorities expected to concur/non-concur in writing within 5 weeks. If no response, concurrence is assumed

### **Enterprise Approval (Article 72) – 3-5 months**

- No set timelines for Ministry of Foreign Affairs (MFA)

### **Individual Applications - 10 weeks**

- Review by DOC PER - 5 day objective
- German authorities expected to concur/non-concur in writing within 6 weeks.
- Military Exigency – TE / AS with approval

## Italy:

### **Approval (Technical Representative) – 10 days**

- In house, DOC PER approval

### **Individual Applications – 18 days**

- Review by DOC PER - 5 day objective
- USSSO is expected to concur/non-concur within 10 days



# Temporary Duty in Germany

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- **“BACO-90”**

- Required by German law, not utilized in Italy – only Germany
- Does NOT provide status or any Individual Logistical Support (ILS)
- <= 90 days (3 months) per 12 month period
- Between contractor and German government
- DON'T USE A “BACO-90” IF YOU CAN GET A “MILITARY EXIGENCY
- DOCPER provides information, but does not process
  - *\*NOTE: Formerly known as “Fax-back” -- now done via e-mail*

- **TESA/ASSA TDY**

- Does provide full ILS while on TDY, not utilized in Italy – only Germany
- <= 90 days per calendar year
- Must apply to DOCPER and qualify for an approved position on an approved contract and not be “Ordinarily Resident”
- TESA TDY contractors must receive a privileged CAC specifically associated with their TESA TDY approval.



# Temporary Duty in Italy

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- There is no provision in Italy to allow short-term or temporary personnel (in Italy less than 90 days) to be accredited as TRs or CPs.
  - *[NOTE: Contractors can work in Italy on TDY for up to 90 days without issue]*
- The time-frame for “losing” OR status is one year. The Italian family members do not need to leave Italy. There must be clear evidence that the individual left Italy with a clear intent of establishing a permanent residence outside of Italy
- Leaving Italy for a short period is not sufficient
- Totality of evidence (HHG moved, paying taxes in US, etc.)
- The USSSO (through DOCPER) would require supporting documentation



# Military Exigency (ME)

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- **The bilateral agreements allow the US forces to grant immediate, temporary, unilateral status under “military exigency.”**
- **ME requests must come from the COR**
  - Only DOCPER has the authority to approve an ME request
  - DOCPER approve MEs for previously bilaterally-approved applicants
  - DOCPER may deny an ME request when deemed prudent
- **MEs can be approved for:**
  - TE applicants anytime following unilateral (DOCPER) contract approval
  - AS applicants anytime following bilateral (Embassy and MFA) approval
  - Contractors can begin operating on an contract (AS – approved only), once the application is in “Pending Authorities” status.
- **TC, TR, and TC-IT applicants are not eligible for ME**



# Ordinarily Resident (OR) – Germany

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- **General criterion for OR determinations under Art. 72 or Art. 73**
  - Duration in Germany w/o status
  - Employment in Germany w/o status
  - Real property ownership
  - Receipt of German social benefits
  - Children in Germany/school
  - Other sources of income in Germany
  - Main focus of societal relations in Germany
  - Spouse employment in Germany
  - German spouse
- **Test:** weigh the *totality of the circumstances*, determine the main focus of vital interests, whether in Federal Republic of Germany or elsewhere
- **Applicants determined to be OR are ineligible for status**
- **20 Year Rule:** a contractor for 20 uninterrupted years in Germany will be considered OR by German Authorities
- **6 Year Re-Applications:** a person who's application was more than 6 years ago will be asked to submit an abbreviated application for review



# Ordinarily Resident (OR) - Italy

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- ***General criterion for OR determinations in Italy:***
- Similar criterion exist in Italy, to include the exclusion of individuals with dual Italian/US citizenship from accreditation, and a highly likelihood of OR status for those applicants who possess a
- The time-frame for “losing” OR status is one year. The Italian family members do not need to leave Italy. There must be clear evidence that the individual left Italy with a clear intent of establishing a permanent residence outside of Italy
- Leaving Italy for a short period is not sufficient
- Totality of evidence (HHG moved, paying taxes in US, etc.)
- The USSSO (through DOCPER) would require supporting documentation



# The Yellow Card Approval

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- **“Yellow-Card” or “Last Chance” approval means that the individual receives status this last time**
  - This generally happens when a person is essentially ordinarily resident now, but has been previously approved – Germany only
  - If the person re-applies, he is *extremely likely* to be denied
- “Yellow-Card” approval is a decision made by the German authorities, not by DOCPER - it is also NOT a denial
- “Yellow-Card” approval allows a person time to either make a graceful exit or transition to full German residency
- A “Yellow-Card” approval does not change the status of the applicant
  - Not subject to challenge by DOCPER
  - Applicants re-applying after a “Yellow-Card” approval must prove their “main focus of vital interests” is no longer Germany
- “Yellow-Card” = your local Finanzamt (Germany) is vying to tax the contractor



# Cost of Living Estimates – DoDEA Tuition

## Non-Federal Connected Tuition

Grade	Non-Federal Agency Annual Rate	*Extra Curricular
Sure Start, Full-Day Kindergarten and Grades 1-6	\$24,912.00	\$890.00
Grades 7-8	\$26,232.00	\$937.00
Grades 9-12	\$27,540.00	\$984.00

\*Extracurricular fees are charged whenever a student is enrolled in 3 or less courses and subsequently enrolls in an Extracurricular Activity. Fees are payable per semester. However, if an activity starts in one semester and ends in another, only one fee is charged.

Non-Federal Agency	17+ Hours	14-16 Hours	11-13 Hours	8-10 Hours	5-7 Hours	1-4 Hours
Pre-School Child Development (PSCD)	\$12,456.00	\$9,964.80	\$8,096.40	\$6,228.00	\$4,359.60	\$2,491.20

Non-Federal Agency	Extra Curricular*
Pre-School Child Development (PSCD)	\$445.00

# Cost of Living Estimates – Housing

## Department of State – Living Quarters Allowance

– [https://aoprals.state.gov/Web920/lqa\\_all.asp?MenuHide=1](https://aoprals.state.gov/Web920/lqa_all.asp?MenuHide=1)

Annual Living Quarters Allowance In U.S. Dollars (DSSR 130)

Rates Effective: 09/11/2022

Previous Rates:

If your post is not listed, please search by Location.

A B C D E F G H I J K L M N O P Q R S T U V Y Z

Country Name	Post Name	With Family			Without Family		
		Group 2	Group 3	Group 4	Group 2	Group 3	Group 4
GERMANY	Sembach	37900	36900	34300	36900	34300	30500
GERMANY	Stuttgart	37600	37100	34800	37100	34800	29000
GERMANY	Twisteden	19000	17300	15600	18200	15600	13800
GERMANY	Vilseck	31200	30100	26100	30100	28800	23500
GERMANY	Wahn	42000	40000	35000	40000	35000	32000
GERMANY	Wertheim	26700	25500	22400	25500	22400	19800
GERMANY	Wiesbaden	42200	41800	34300	41800	38400	31700



# AE Forms 600-77A

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- A valid AE Form 600-77A is required in order for an approved contractor and their dependents to receive NATO SOFA certificates
- NATO SOFA certificates are the only true credential for NATO SOFA status for individuals not in possession of an official passport
- The NATO SOFA certificate is not an optional document
- Only DOCPER can authorize the issuance of NATO SOFA certificates for contractors approved under Articles 72 and 73
- DOCPER generates and provides AE Forms 600-77A thru the DCOPS system
- Expiration dates on AE Forms 600-77A will match the expiration date of the 1172-2's provided by DOCPER
- Approved contractors should receive their privileged CACs first, prior to seeking to obtain their NATO SOFA certificates



# Trusted Associate Sponsorship System - TASS

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- DoD system for verifying contractors, run by Defense Manpower Data Center (DMDC) Contractors must be entered into TASS by a Trusted Agent (TA) to get a CAC
- DOCPER is a TASS Trusted Agent Security Manager (TASM)
- A valid AE Form 600-77A is required in order for an approved contractor and their dependents to receive NATO SOFA certificates
- NATO SOFA certificates are the only true credential for NATO
- Only DOCPER can authorize the issuance of NATO SOFA certificates for contractors approved under Articles 72 and 73
  - DOCPER generates and provides AE Forms 600-77A thru ECOPS



# The Trusted Agent

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## The COR must ensure that a Trusted Agent (TA) is appointed to:

- Manage applicants in the Trusted Agent Sponsorship System (TASS)
- Once a contractor applicant is approved in ECOPS, and a DD1172-2 is generated, the TA must input this data in TASS
- Without this vital step, approved contractor employees will be unable to obtain a CAC
- DOCPER will not approve a new contract, in ECOPS, without a TA
- Approved contractors should receive their privileged CACs first, prior to seeking to obtain their NATO SOFA certificates
- Expiration dates on AE Forms 600-77A will match the expiration date of the 1172-2's provided by DOCPER



# The Contracting Officer Representative (COR)

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- **AE Reg 715-9 - The COR will**
  - Ensure that contract and individual application packages are completed and submitted (through ECOPS)
  - Ensure that applicants meet approved job requirements
  - Prevent fraud
  - Notify DOCPER of employee terminations (Template available on DOCPER webpage)
  - Collect and turn-in credentials after terminations:
    - Common Access Cards (CACs) and dependent identification (ID) cards are turned in to local ID card facilities
    - NATO SOFA certificates are turned into local passport offices
  - Instruct approved contractors to accompany family members to ID card section. (Do not prepare DD Form 1172 authorizing ID cards for family members.)



# The Contracting Officer Representative (COR)

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**The COR is responsible for informing DOCPER when a contractor's status must be terminated for any reason:**

- End of a contract
  - Early contract termination
  - Contractor is terminated
  - Job offer is declined
- 
- **NATO SOFA status is always associated with an approved position under an approved contract**
  - **When the contractor leaves either the contract or the position under which they were approved, they have no more basis for NATO SOFA status. Their status is no longer valid and must be terminated**



# Answers to Frequently Asked Questions

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[https://media.defense.gov/2018/Jul/26/2001947068/-1/-1/1/FAQS\\_JAN12.PDF](https://media.defense.gov/2018/Jul/26/2001947068/-1/-1/1/FAQS_JAN12.PDF)

## **Can contracts and individual applications be processed by DOCPER at the same time?**

- Article 73 individual applications may (under the military exigency clause) be approved unilaterally and conditionally before the German authorities have completed their review of the contract.
- Article 72 individual applications may be reviewed by DOCPER, but will only be sent to the German authorities after contract had been approved

## **What are the factors that may effect approval?**

- Contractor Applications – OR factors; lack of experience; applicant does not meet requirements shown in job description

## **Is a follow-on contract to a contract previously used in Germany considered a new contract?**

- Yes. Please see AE Regulation 715-9. A "new contract," which must be notified and approved, includes follow-on or successor contracts even when awarded to the same company.

## **How long does TESA/ASSA/TCSA accreditation remain valid?**

- For contracted employees, status accreditation is directly tied to an approved position under an approved contract; accreditation remains valid for as long as the individual remains in the same position under the same contract. The maximum length of the card will be 3 years, or the exp. of the passport, whichever is less.





# Answers to Frequently Asked Questions

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- **Is a follow-on contract to a contract previously used in Germany considered a new contract?**
  - Yes, see AE Regulation 715-9. A "new contract," includes follow-on or successor contracts even when awarded to the same
- **When a contracted employee has received SOFA status under a particular approved position, can they also perform work under a different position?**
  - There are certain types of "other" work that may jeopardize a contracted employee's tax exempt status, as well as his or her entitlement to accreditation under the NATO SOFA SA
  - Contractors are required to work a minimum of 20 hours per week in order to be eligible for status accreditation



# Answers to Frequently Asked Questions

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- **Can contracts and individual applications be processed by DOCPER at the same time?**
  - Article 73 individual applications may (under the military exigency clause) be approved unilaterally and conditionally before the German authorities have completed their review of the contract.
  - Article 72 individual applications may be reviewed by DOCPER, but will only be sent to the German authorities after contract had been approved
- **Why are some Article 73 individual applications denied Military Exigency?**
  - DOCPER will not approve ME requests for individual applicants who are at risk of denial by the German authorities. Risk of denial might exist because of marginal qualifications or, more likely, because the applicant has one or more OR factors.
- **Can a non-US citizen receive TE/AS/TC?TR status?**
  - Yes. Under both Articles 72 and 73, U.S. citizens and citizens of other NATO nations, except Germany, may be granted NATO SOFA status.



# Answers to Frequently Asked Questions

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- **If an individual is approved for an ME by DOCPER, but then is subsequently denied by the German authorities, what is the person's status during the period worked in Germany?**
  - As long as the individual has been in Germany for less than 90 days, there is no violation of the German work permit laws (assuming the work qualifies for one of the exemptions to the work permit laws) or residency laws.
  - It must be noted, however, that working in Germany for more than 90 days in a 12- month period without NATO SOFA status places a person in violation of German work permit provisions
- **How long does TESA/ASSA/TCSA accreditation remain valid?**
  - Status accreditation is always directly tied to an approved position under an approved contract. Accreditation remains valid for as long as the approved individual remains in the same position under the same contract.
- **How long can a contractor keep their soggiorno visa?**
  - When an applicant terminates his/her employment they will need to return the soggiorno to the Base liaison office.

# DoD Contractor Personnel Office

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Questions

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