



HEADQUARTERS
Resolute Support
Kabul, Afghanistan
APO AE 09356



BSA/SOFA Implementation FAQs
Produced by RS LEGAD/USFOR-A SJA
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General Information

NOTE: The U.S. – Afghanistan Security and Defense Cooperation Agreement, also known as the Bilateral Security Agreement (BSA) entered into force on 1 January 2015, alongside the NATO – Afghanistan Status of Forces Agreement (SOFA). Until 1 June 2015, the Afghan Government, through a Presidential Decree, has instituted a transition period allowing for phased application of Afghan law to BSA/SOFA contractors and contractor employees regarding entry/exit requirements (visas) and contractor-provided air services. This period was extended on 16 June 2015 until 1 September 2015. Once the extension ends, all contractors will need a visa and AISA business license to operate in Afghanistan. **THERE WILL BE NO MORE EXTENSIONS OR GRACE PERIODS ON ENFORCEMENT.** After 1 September, contractors who do not have visas may apply at any Afghan diplomatic mission. Contractors who do not have business licenses should apply at AISA in Kabul. Any definitions contained in the BSA and SOFA apply to the terms used in this fact sheet. This fact sheet only applies to BSA/SOFA contractors and the non-Afghan employees working under those contracts or subcontracts. It does not apply to other companies, nor does it apply to non-Afghan employees working under other contracts or subcontracts.

We recognize that some of the requirements for obtaining AISA business licenses may be onerous, especially on certain small subcontractors with 20 or fewer employees. Such smaller subcontractors may wish to coordinate with their prime contractors so that they are covered by their prime contractor's AISA business license.

The answers reflect our best, most up-to-date understanding of the facts at the time of publication. Information and answers are subject to change at any time and without notice.

A GREAT DEAL OF THE INFORMATION DISCUSSED HEREIN IS BASED UPON CURRENT AFGHAN REGULATIONS AND PROCEDURES. AFGHAN PROCEDURES ARE SUBJECT TO CHANGE WITHOUT NOTICE TO OR CONSULTATION WITH US/NATO FORCES. WE WILL PASS ALONG CHANGES AS APPROPRIATE.

NOTICE – ***This document is for informational purposes only. Contractors and contractor employees are urged to seek independent advice from appropriate professionals (attorneys, accountants, business experts, etc.) on all subjects relevant to the topics discussed in this document. This document does not constitute legal advice or opinion of any kind. No lawyer-client, advisory, fiduciary or other relationship is created. The U.S. government will not be liable for any damages, losses or causes of action of any nature arising from any use of this document or of the answers contained herein.***

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Entry/Exit & Visas

1. Are contractors required to have visas?

As of 1 January 2015, contractors in support of U.S. or NATO missions in Afghanistan are required to have a visa. Extension periods allow contractors to obtain their visa by 1 September 2015. Multi-entry one year visas (MEV) are available utilizing expedited procedures as provided in the BSA and SOFA.

Contractors are strongly encouraged to apply for MEV visas before their employees enter Afghanistan. Visas may be obtained through Afghan Embassies and Consulates. See <http://mfa.gov.af/en/page/4183/3884> for locations.

Contractors already present in Afghanistan may apply for an MEV or renew their MEV visa at the MOI Passport Office in Kabul. They may also renew at an Afghan embassy or consulate. After 1 September 2015, contractors will NOT be able to apply for visas in Afghanistan unless they can provide an entry stamp in their passport demonstrating they entered in the past 15 days.

A work permit is not a requirement for a MEV.

Citizens of Afghanistan who can prove their citizenship through a tazkera or Afghan passport do not require visas.

Contractors and their employees will not be subject to financial penalties or judicial prosecution for lack of a visa from 1 January 2015 until 1 September 2015. ***Those present in Afghanistan after 1 September 2015 without a visa may be subject to fines.***

2. How do I apply for my MEV?

Contractors may submit group applications (i.e., bundled applications to be submitted in bulk) for visas, on behalf of their employees. Employees may also apply individually. The process may take several weeks and contractors are encouraged to apply as soon as possible.

Obtaining or Renewing a Visa Inside of Afghanistan

Processed through the Ministry of Interior Affairs, Passport Office

AFTER 1 SEPTEMBER 2015- Only available to contractors with a passport containing an entry stamp within 15 days of date of application or contractors renewing a valid visa.

The following documents constitute a complete visa application:

- a. Copy of the contractor company's AISA business license
- b. Official letter from a senior representative of the contractor which (1) provides a list of the contractor's employees who are applying for visas and (2) the name of the representative who will drop off and pick up the passports;
- c. Original passport;
- d. Visa application form (***no notary, but stamp each page of the application package with a company stamp***);
- e. One 4 x 5 cm photo;
- f. Da Afghanistan Bank Tariff receipt (\$360¹ visa processing fee for a one-year, multiple entry visa and \$200 visa fee for first-time visa applicants);

¹ This is the price for a US citizen, the fee may vary for other nationalities and in other locations

- g. Verification the contractor and its employees are entitled to BSA/SOFA privileges:
1. For U.S. Contractors: Submit a DoD-issued Letter of Authorization (LOA) for each employee applying for a visa. Letters of Authorization are generated by the DoD SPOT system. The company name should match the AISA business license.
 2. For NATO Contractors under the NATO Support Procurement Agency (NSPA) or the NATO Communications and Information Agency (NCIA): Submit a NATO Letter of Affiliation (LOA) for each employee applying for a visa. The company name should match the AISA business license.
 3. For Other NATO Contractors Not Listed Above: U.S./NATO Contractors may submit a contractor certificate for each employee applying for a visa, issued by the Resolute Support Legal Advisor/U.S. Forces - Afghanistan Staff Judge Advocate office in Kabul.
- h. NOT REQUIRED BUT RECOMMENDED – If using an expediter, a letter of introduction from the company to MOI introducing the expediter and their couriers.

Obtaining or Renewing a Visa Outside Afghanistan

Processed through the Ministry of Foreign Affairs

This should be the PRIMARY method of obtaining new visas

The following documents constitute a complete visa application:

- a. Sent to the Ministry of Foreign Affairs via visa.consular.mfa@gmail.com:
 1. Official letter from a senior representative of the contractor which provides:
 - i. List of the contractor's employees who are applying for visas, including their (1) first name, (2) surname, (3) country of citizenship, and (4) passport number; and
 - ii. Name of representative who collect applicants' passports in order to provide original passports to the embassy/consulate;
- b. Brought by the contractor employee of the contracting company's representative to the Afghan embassy/consulate outside Afghanistan:
 1. Original passport with at least six months' validity remaining;
 2. ***Visa application form*** (notarized)
 3. One 4 x 5 cm photo;

4. \$360 standard visa processing fee for a one-year, multiple entry visa (fee differs if not applying in US) and additional \$200 visa fee for first-time visa applicants.

Afghan Diplomatic Missions in the US are located in Washington D.C., New York, NY, and Los Angeles, CA

Worldwide Afghan Diplomatic Missions can be reviewed at:
<http://mfa.gov.af/en/page/4183/3884>

The English-language Afghan Visa Application Form is available in PDF format at
[http://mfa.gov.af/Content/files/Visa%20Application%20Form%20\(English\).pdf](http://mfa.gov.af/Content/files/Visa%20Application%20Form%20(English).pdf).

3. Are there commercial service providers able to assist in visa processing?

We are aware of a number of commercial providers for visa processing that we do not have any adverse information about. WE CANNOT AND DO NOT RECOMMEND OR ENDORSE ANY COMPANY.

Reputable Intermediaries

Rosenstock Legal Services
Domenic Senger-Schenck, Esq.
+93 078-468-2188
domenic@rosenstocklegal.com

Afghanistan Holding Group
Sanzar Kakar, Chairman
+93 079-914-5229
sanzar.kakar@ahg.af

Afghanistan Legal Services
Asiyah Sharifi, Esq., Managing Partner
+93 072-911-1012
asiyah.sharifi@als.af

The Diplomat Group LLC
Francis Wauchope, Director Government & Defense
+97 146-018-999
fwauchope@thediplomatgroup.com

Afghanistan Lawyers International
Zmarak Zhouand
+93 079-166-9999
www.lawyers.af
z@lawyers.af

Kakar Advocates LLC
Amy Friers
+93 783-538-337
AFriers@KakarAdvocates.com

Kechken Consultancy Services
Abdul Bashir, President
+93 078-145-7600
kechken.consultancy@gmail.com

Afghan Visa Expedition and Licensing: Parwan Sabz
Travel & Tours
Mohammad Rafi, Managing Director
+93 078-222-3336; +93 070-476-7616
traveltourp@gmail.com

Dr. Dilbar Khan
Delwar Saleb Consulting Company
+93 (0) 797 574 574 or 0797 280 265
dilbar_haleemm@yahoo.com

Parks Global Solutions LLC
Gerald Parks, President
+97 155-774-9932
gerald.parks@parks-global.com

Innovative Logistics
Charlene Bolton, Finance Manager
+93 079-342-4610
cbolton@totalscmsolutions.com

Afghan Compound Support Services
Mary Jane Mallorca
+93 079-850-0025
www.afgancss.com

4. Can U.S. and NATO contractor employees already in Afghanistan obtain a visa?

Yes, but only until 1 September 2015. After that time visas may only be obtained in Afghanistan if the contractor has an entry stamp in their passport which demonstrates they arrived within 15 days of application. Valid visas may be renewed. See page 3.

a. Do contractor employees already in the country have to leave the country before obtaining a visa or renewing a visa?

No. Contractor employees may send their passport with a company representative to apply at any Afghan diplomatic mission other than Washington D.C.

b. Do contractor employees need to apply for visas individually? Do they need to apply in person?

No, consistent with current Afghan government practices, contractors may submit block or group applications in bulk to the diplomatic missions of Afghanistan (other than the Embassy in D.C.) on behalf of their employees already in the country, with no personal appearance required by each of the employees. Only the company representative submitting the applications needs to appear personally. The company representative can be a commercial service provider.

5. Are BSA/SOFA contractor employees already in Afghanistan subject to any fines or penalties stemming from the lack of, or the expiration of, a visa before 1 September 2015?

Yes and No. Those who do not have a visa after 1 September 2015 may be subject to penalties under Afghan law. There are no fines if a visa was obtained prior to 1 September.

6. Do I need to have my visa stamped when I enter Afghanistan?

Afghan procedures require entry and exit stamps on foreign passports. If you are arriving and departing from a military installation, you will not receive an entry stamp. It is strongly recommended that you keep your boarding pass or other documentation which demonstrates the date you arrived in Afghanistan.

If you anticipate leaving the country through a civilian airport you should act to have your visa stamped with an entry date. This can be done at the Afghan Border Police HQ in Kabul Afghanistan.

7. What are the key points of contact for visas in Afghanistan?

The Afghan Ministry of Foreign Affairs (MFA):

Website: www.mfa.gov.af

Telephone: +93 020-210-0372

Address: Malik Azghar Road, Kabul

Email: contact@mfa.gov.af

The Afghan Ministry of Interior (MOI): Passport/Visa Department

Website: www.moi.gov.af

Telephone: +93 020-210-2945

Address: Shahre New Road, Kabul

Resolute Support/USFOR-A Legal Office

Telephone: DSN 318-449-0976; +93 070-856-8396

Address: HQ Resolute Support, Kabul

Email: matthew.ramage@afghan.swa.army.mil

8. What should travelers expect at commercial airport terminals upon arrival in Afghanistan?

Contractor employees should be prepared to present their passport, visas, and employment letters if/when asked.

Contractors should ensure they receive an entry stamp in the passport.

Contractors should also fill out the Foreigner Registration Card, a blue card, upon entry and keep it until they leave. There is no fee for the card. If asked for a work permit, contractors should show the officials their visa which states in Dari that they are a BSA/SOFA contractor.

Military members and civilian DOD employees do not require a visa or passport to enter or exit Afghanistan. Instead, these individuals should ensure they have their military or

DOD identification card and a copy of their travel orders. It is also STRONGLY recommended that they have original copies of a Visa Exemption Certificate issued by any RS LEGAD or USFOR-A legal office. See page 16.

Facilitators are available at four commercial airports to assist military and civilian component personnel and contractor employees during their transit through approved entry/exit control points until at least 30 June. Please contact the following numbers for assistance if necessary once you arrive in Afghanistan:

Kabul Airport: Ajmal Khan, +93 070-029-3341

Kandahar Airport: Toryalai Ayubi, +93 070-628-1229

Herat Airport (16 hrs per day): Mohammad Nasir, +93 079-333-8490

Mazar-e-Sharif Airport: Emamuldin Niazi, +93 079-015-5010

9. How will passports and visas be checked and/or issued at military air terminals?

Contractor employee passengers arriving or departing from a military air terminal in Afghanistan will not process through a GIRoA immigration point upon entry. These individuals should save their boarding pass as proof of their date of arrival. If the individual is likely to depart through a commercial airport, they should act to receive an entry stamp through the Afghan Border Police HQ in Kabul after arrival.

Business & Professional Licensing

10. Are contractors required to obtain Afghan business registration licenses?

Yes. Contractors and subcontractors supplying goods and services in Afghanistan to, on behalf of, or in support of United States or NATO forces are subject to registration in Afghanistan. This will be done via an expedited process which includes issuance of a business registration license by the Afghanistan Investment Support Agency (AISA). The license will be valid for three years after payment of a reasonable, standard, one-time service charge to AISA, as required by Afghan laws and regulations.

Contractors shall otherwise be exempt from all other Afghan licenses and similar requirements in relation to their entry into, or execution of, contracts and subcontracts with or on behalf of U.S./NATO forces. AISA will obtain approvals from any other Afghan ministries or agencies that may be required for the contractor to operate in Afghanistan.

Obtaining an AISA Business License

AISA business license applications shall include the following documents²:

- a. If the contractor company's president, vice president, or equity partner is present in Afghanistan, one of these three should be present at AISA to submit the AISA business license application.
- b. If the contractor company's president, vice president, or equity partner is NOT present when submitting the application to AISA in Afghanistan, a notarized power of attorney is required for a third-party to act as the company's legal representative for the processing of the AISA business license application.
 1. We interpret AISA procedures to require the president, vice president, or equity partner be the signing party granting the power of attorney.
- c. Original passport and visas of the contractor company's president, vice president, and equity partners – or their legal representative.
- d. Original Taskera IDs of the president, vice president, and equity partner; if they are Afghanistan citizens
- e. Three color copies of the passport and visas of the contractor company's president, vice president, and equity partners – or their legal representative.
- f. Four photos of the contractor company's president, vice president and/or equity partners
- g. If the contractor company is located outside of a U.S. or NATO base, an official/stamped contract letter or leasing documents confirmed by area representative (village elder) or property owner.
- h. If the contractor company is located inside a U.S. or NATO base, an official letter stating that they are located in base. Installation legal offices will produce this document (see Points of Contact Page 16).
- i. Tax clearance letter for the contractor company.

² These are the documents required for an AISA license recognizing the foreign company as a whole, if the company wishes to establish a branch in Afghanistan instead, please see Chapter 2 in the AISA procedures at <http://www.aisa.org.af/Content/Media/Documents/SpecialProceduresforUnitedStatesandNATOContractors2242015143434474553325325.pdf>

1. Email Kabuldodcustoms@state.gov requesting a Tax Exemption Letter stamped by the U.S. Embassy, Kabul/SDDC. Attach a DD 577 from your CO to the email.
 2. SDDC will confirm the legitimacy of your Tax Exemption Letter to the Afghan Ministry of Finance
 3. The Ministry of Finance will issue the Tax Clearance Letter.
- j. Application fee (see <http://www.aisa.org.af/Content/Media/Documents/SpecialProceduresforUnitedStatesandNATOContractors2242015143434474553325325.pdf>)
- k. An application form (<http://www.aisa.org>)
- l. Authentication of the application as follows:
1. If the license application is prepared in the United States:
 - i. If using a power of attorney, notarize the power of attorney;
 - ii. Have the power of attorney notarization attested by the state where the notary is commissioned (e.g., the State of Florida for a Florida-based notary public);
 - iii. Have the U.S. State Department certify the genuineness of the previous state-level notarization; and
 - iv. Have the entire license application package (including power of attorney, if used) authenticated by an Afghan embassy/consulate or Ministry of Foreign Affairs in Afghanistan. If using the Ministry of Foreign Affairs, RS LEGAD will produce a letter introducing the company's legal representative, President, and Vice-President. Please provide us with a notarized board resolution or similar document identifying the President and Vice-President.
 - v. Following authentication by an Afghan embassy/consulate, submit the complete application to AISA.
 2. If the license application is being prepared outside of both Afghanistan and the U.S., **AND** the President, VP, or equity partner will not be submitting the application:

- i. If using a power of attorney, notarize the power of attorney;
 - ii. Have the power of attorney notarization attested by the appropriate governmental authority in the nation where the power of attorney is being signed and notarized;
 - iii. Have the nation's ministry of foreign affairs certify the genuineness of the notarization, in accordance with internationally accepted practice for notarized documents; and
 - iv. Have the entire license application package (including power of attorney, if used) authenticated by an Afghan embassy/consulate or by the Ministry of Foreign Affairs in Afghanistan. If using the Ministry of Foreign Affairs, RS LEGAD will produce a letter introducing the company's legal representative, President, and Vice-President. Please provide us with a notarized board resolution or similar document identifying the President and Vice-President.
 - v. Following authentication by an Afghan embassy/consulate, submit the complete application to AISA.
3. If the license application is being prepared and submitted inside of Afghanistan, and the President, VP, or equity partner will not be submitting the application:
 - i. Prepare the necessary power of attorney and have it notarized. If the power of attorney is being signed in Afghanistan, the power of attorney may be notarized through the nearest USFOR-A legal office.
 - ii. Have the notarized power of attorney and all other license application documents authenticated by a USFOR-A legal office in Afghanistan.³ A letter of introduction to MOFA will also be provided.
 - iii. Have the entire license application package (including power of attorney, if used, and certificate of genuineness) authenticated by the Foreigner's Visa Office, Consulate Department, Ministry of Foreign Affairs, Malik Azghar Avenue, in Kabul. Prior to going to the Ministry, RS LEGAD will produce a letter introducing the company's legal representative, President, and Vice-President. Please provide

³ Legal offices cannot authenticate domestic U.S. documents such as Board Resolutions.

us with a notarized board resolution or similar document identifying the President and Vice-President.

- iv. Following authentication by MOFA, submit the complete application to AISA.

11. Are there commercial service providers able to assist in AISA license processing?

With the caveat that we cannot and will not recommend or endorse any company, the HQ Resolute Support legal office is aware of a number of commercial providers about which we have no derogatory information that can act as intermediaries for the purposes of processing AISA business licenses. Companies we are aware of are listed on page 5.

12. Are professional licenses issued by other countries valid as having a license in Afghanistan?

Afghanistan accepts as valid all professional licenses issued by authorities of the United States or NATO countries to members of the force or of the civilian component, U.S./NATO contractors or U.S./NATO contractor employees in relation to the provision of services as part of their official or contractual duties.

13. What are the key points of contact for business licensing in Afghanistan?

The Afghan Ministry of Foreign Affairs (MFA): Trade, Transit and Investment Directorate
Website: www.mfa.gov.af
Telephone: +93 020-210-0377
Address: Malik Azghar Road, Kabul
Email: contact@mfa.gov.af

The Afghanistan Investment Support Agency (AISA)
Website: www.aisa.org.af
Telephone: +93 020-210-3404
Address: East Part of Chaman-e-Hozory, Near National Olympic Building, Kabul
Email: invest@aisa.org.af

The Afghan Ministry of Commerce and Industry (MoCI)
Website: www.commerce.gov.af
Telephone: +93 070-022-5718
Address: Darul Aman Road, Karte Se, Kabul

Resolute Support/USFOR-A Legal Office
Telephone: DSN 318-449-0976; +93 070-856-8396
Address: HQ Resolute Support, Kabul

Email: matthew.ramage@afghan.swa.army.mil

Taxation

14. Should non-Afghan BSA/SOFA contractors withhold taxes required by Afghan law when making payments to Afghan citizen/residents or Afghan companies?

Yes. BSA/SOFA contractors are subject to Afghan requirements regarding employer withholding of personal income tax from U.S./NATO contractor employees who normally reside in Afghanistan and from BSA/SOFA contractor employees who are Afghan nationals for payment to Afghanistan as required by the laws and regulations of Afghanistan. Please Consult with Afghan tax experts.

15. Are the wages of BSA/SOFA contractor employees subject to Afghan taxes?

Contractor employees who do not normally reside in Afghanistan and who are not Afghan nationals are not be liable to pay any tax or similar or related charges assessed by the Afghan government within the territory of Afghanistan on their activities and associated income, relating to a contract or sub-contract with or in support of U.S./NATO forces. An employee's presence in Afghanistan solely for the purpose of performing contractual duties within the purview of the BSA/SOFA does not render them subject to taxation as someone who "normally" resides in Afghanistan.

Weapons Permits

16. Are BSA/SOFA contractor employees authorized to carry weapons off installation without an Afghan weapons license?

USCENTCOM/USFOR-A general policy is that DOD contractors and contractor employees should be unarmed. An arming authorization is an exception to policy. Contractor employees will not be authorized weapons unless required to be armed to perform contracted duties. All DOD contractors and contractor employees are prohibited from possessing weapons in Afghanistan except:

- a. DOD contractors and contractor employees providing armed security services inside NATO/U.S. Agreed Facilities and Areas; and
- b. DOD contractors and contractor employees who regularly (i.e., at least weekly) perform their contractual duties outside of Agreed Facilities in support of NATO/U.S. missions, including the provision of training, advice, and assistance to Afghan National Security Defense Forces.

Per the BSA/SOFA effective 1 January 2015, U.S. contractors performing security services in Afghanistan are subject to all relevant requirements of Afghan laws and regulations. During the transition period, the Ministry of Interior will accept group applications for weapons permits from BSA/SOFA contractors whose contractor employees carry a weapon for self-protection in order to perform duties outside of Agreed Facilities and Areas in support of U.S. missions, including the provision of training, advice and assistance to Afghan National Security and Defense Forces.

Those qualifying to carry a weapon outside of Agreed Facilities should apply for a weapons permit at MOI. For further information, contact USFOR-A Armed Contractor Oversight Directorate at DSN 318-436-7535, or usfora.acod.org@afghan.swa.army.mil.

17. If authorized to carry a weapon, what rules apply to contractor employees regarding the use of force?

Afghan law applies. An introduction has been prepared by RS LEGAD and is distributed by ACOD with the licensing instructions. This is meant to be an introduction to the applicable laws and all contractors are responsible for knowing ALL applicable Afghan laws. The documents provided by RS LEGAD are not intended to replace the responsibility of contractors to provide full instruction to their employees. Inside U.S. bases, BSA/SOFA contractor employees will also receive appropriate guidance regarding the Rules for the Use of Force.

18. Are BSA/SOFA contractor employees authorized to apply for an Afghan weapons permit if they have been denied authority to carry weapons by USFOR-A or any other element, unit, or organization of the United States Department of Defense?

No.

19. Will contractors who don't qualify for an exemption to the arming policy be able to continue carrying a weapon?

No. Contractor employees will not be armed unless they meet the exception, have current USFOR-A authorization to carry a firearm, and have a license from GIRoA to carry a firearm.

20. If I do not meet the requirement to be armed or lack the proper approvals, what do I do with my previously provided weapon?

Weapons will be stored and transported in accordance with previously-established policy and procedures.

For further information please contact USFOR-A Armed Contractor Oversight Directorate at DSN 318-436-7535, or usfora.acod.org@afghan.swa.army.mil.

Importation & Exportation

21. What rules will apply regarding imports and exports?

Contractors may import into, export out of, re-export out of and transport and use in Afghanistan any equipment, supplies, materiel, technology, training, or services related to their U.S./NATO contract in Afghanistan. Identifying documents shall be provided to indicate that such equipment, supplies, materiel, technology, training, or services being imported by contractors are for U.S. forces' purposes and not for any private commercial purposes.

Contractors, and those contractor employees who are not Afghan nationals, may import into, export out of, re-export out of and transport and use in Afghanistan personal effects. The imported quantities shall be reasonable and proportionate to personal use. The property referred to in this provision of the BSA/SOFA may not be sold or otherwise transferred in Afghanistan to persons who are not entitled to import such items duty free unless such transfer is in accordance with agreed procedures, including on payment of any taxes or fees due as a result of such transaction, established by the Joint Commission.

The importation, exportation, re-exportation, transportation, and use of any articles brought into Afghanistan pursuant to the above information shall not be subject to restrictions, such as licensing, inspection, or verification, except as provided in the BSA/SOFA, or taxes and customs duties or other charges assessed by government authorities in Afghanistan within the territory of Afghanistan. If Afghan authorities suspect the abuse of the privileges granted above to contractors and contractor employees, then relevant Afghan authorities reserve the right of inspection of such personal effects when arriving or departing from civilian airports in Afghanistan or in personal vehicles at border crossings.

The relevant Afghan authorities reserve the right of verification of any container imported by contractors and contractor employees containing items for U.S./NATO forces' purposes in Afghanistan or for personal use, as described above. Without causing undue delay, and upon presentation by the relevant Afghan authorities of information to U.S. /NATO forces authorities that a contractor is abusing the authority granted above, U.S. /NATO authorities shall open and verify suspected shipments or containers intended for import in the presence of the Afghan authorities. Afghan authorities shall consent to the security requirements of U.S./NATO forces and upon request by U.S./NATO forces authorities permit such verifications to take place within agreed facilities and areas or other areas as mutually agreed.

Wearing of Uniforms

22. Are contractors and the contractor employees authorized to wear military uniforms?

The BSA/SOFA does not allow contractors or contractor employees to wear military uniforms.

Jurisdiction

23. Are contractors and contractor employees subject to Afghan criminal and civil jurisdiction?

Yes, Afghanistan maintains the right to exercise jurisdiction over contractors and contractor employees. But the settlement or adjudication of contract claims shall be carried out in accordance with the terms of the contract.

24. Does Afghan labor law apply to non-Afghan contractor employees hired by non-Afghan contractors?

No, the terms of their contracts apply.

25. Is the United States government seeking to obtain the same immunities for contractors that USG and Coalition personnel process?

No, the current BSA/SOFA provisions will stay in place.

General Points of Contact

26. Are there points of contact I can call for further assistance?

Yes. The following are points of contact:

Legal Office – HQ Resolute Support, Kabul
DSN 318-449-0976
matthew.ramage@afghan.swa.army.mil

Senior Advisor, BSA Joint Commission
Secretariat
DSN 318-481-3424
usfora.bsajc@afghan.swa.army.mil

HQ Resolute Support International Agreements
Branch

DSN 318-449-5640
eric.a.follstad@afghan.swa.army.mil

Legal Office –Bagram Air Field
DSN 318-481-8544
elizabeth.g.smitham@afghan.swa.army.mil

Legal Office – TAAC-E
DSN 318-831-5086
jeffrey.w.benedict1.mil@mail.mil

Legal Office – TAAC-S
DSN 318-421-9985
Hsienjan.huang.mil@mail.mil

Legal Office – SOJTF-A/SOTF-A
DSN 700-787-3433
andrew.deel@socom.mil

Legal Office – RF 3-10
DSN 700-787-3344
travis.j.lieb.mil@mail.mil

Legal Office –Al Udeid Air Base
DSN 318-436-7536