EMBASSY OF THE UNITED STATES OF AMERICA
UNITED STATES SENDING STATE OFFICE FOR ITALY
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U.S. SENDING STATE OFFICE FOR ITALY INSTRUCTION 1900.1

Subj: LOCAL SEPARATION OF MEMBERS OF U.S. FORCES AND CIVILIAN COMPONENT IN ITALY

Ref:
(a) NATO SOFA: Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces, signed at London on 19 June 1951 and ratified in Italy as Law No. 1335 of 30 November 1955
(b) Agreement Between the United States of America and the Italian Republic Regarding Bilateral Infrastructure in Implementation of Article III of the North Atlantic Treaty of 20 October 1954 (Bilateral Infrastructure Agreement (BIA) [Classified])
(c) Memorandum of Understanding Between the Ministry of Defense of the Republic of Italy and the Department of Defense of the United States of America Concerning the Use of Installations/ Infrastructure by U.S. Forces in Italy of 2 February 1995 (Shell Agreement)
(d) Tri-Component Directive for Italy on Personal Property, Rationed Goods, Motor Vehicles and Drivers' Licenses, Civilian Component and Technical Representative Status (COMUSNAVEURINST 5840.2E; USAREUR Reg. 550-32; USAFEI 36-101 of 20 February 2004)
(e) DoD Passport and Passport Agent Services (DoD Regulation 1000.21-R (April 1997))
(f) Passports and Visas (COMUSNAVEURINST 4650.2; USAREUR Reg. 600-290; USAFEI 36-3101 of 30 October 1998)
(g) USSSO Civilian Personnel Accreditation Procedures, 12 July 2004
(h) DoD Foreign Clearance Guide, DoD 4500.54-G

1. Purpose. To publish guidance regarding separation of members of U.S. Forces and Civilian Component in Italy when such members of U.S. Forces and Civilian Component choose to remain in Italy. Personnel need to consult their component guidance regarding such topics as civilian component hiring procedures and civilian employment rotation policy.

2. Definitions.

a. Forces: Reference (a) defines Forces as personnel belonging to the land, sea, or air armed services of one Contracting Party when in the territory of another Contracting Party in the North Atlantic Treaty area in connection with their official duties.

b. Civilian Component: Reference (a) defines Civilian Component as civilian personnel accompanying a force of a Contracting Party who are in employ of an armed service of that Contracting Party, and who are not stateless persons, nor nationals of any state which is not a Party to the North Atlantic Treaty, nor nationals of, nor ordinarily resident in, the State in which the force is located.

c. Civilian Personnel: References (b) and (c) define Civilian Personnel as "Civilian Component" plus persons who are closely affiliated with the United States Forces and under their authority, but not employed directly by them, on the condition that the presence of such persons in Italy is recognized by both governments as necessary in connection with the functioning of the installations. Reference (c) goes on to define the different categories of Civilian Personnel.

d. Ordinarily Resident: A term used but not defined in reference (a). Persons determined to be ordinarily resident are ineligible for Civilian Component or Civilian Personnel status. Reference (d), Section VII, paragraph 3, lists the factors that determine whether a person is considered "ordinarily resident."

3. Service-Unique Requirements. Personnel must consult and follow their service requirements for separation overseas.

4. Guidance on Passport and Visa requirements.

a. Surrender or Modification of U.S. official and/or no-fee government passports.

(1) Per reference (e), it is DoD policy that U.S. official and/or no-fee passports are official documents of the U.S. Government and remain at all times the property of the United States. Upon separation, members of U.S. Forces and Civilian Component shall surrender to an authorized representative of the U.S. Government such passports (and visas if applicable) issued to them for purposes of official travel outside of the United States as a member of the U.S. Forces or Civilian Component.

(2) Per reference (f), when service members separate from active military service and intend to remain in Italy, they shall contact the appropriate Passport Administrative Agency (PAA) to ensure that, if previously issued for use during active duty, their official passport is modified to reflect marriage to a service member stationed in Italy, marriage to a member of the Civilian Component, or as a member of the Civilian Component, as applicable.

b. Immigration Documents.

(1) The authorized immigration documents for Civilian Component, Civilian Personnel and dependents as well as dependents of members of the Force are the Mission Visa and the Mission Permit of Stay (*Visto Missione* and *Permesso di Soggiorno Missione*).

(2) Members of U.S. Forces and Civilian Component who desire to acquire civilian employment on the economy in Italy. Upon separation or retirement, those personnel, who are not married to a citizen of Italy, who desire to remain in Italy, ordinarily resident, with civilian

employment on the economy must obtain the appropriate immigration and residence documents to live in Italy. Personnel should consult with the Italian Consulate with cognizance over their place of residence in the United States in order to determine the appropriate documentation. Such personnel become ordinarily resident, thus precluded from employment with the U.S. Forces with status under references (a) through (d).

(3) Service members who separate or retire to become members of the Civilian Component. Upon separation or retirement, service members who desire to remain in Italy for employment with the Civilian Component, must obtain the appropriate U.S. official passport, immigration and residence documents, to include Mission Visa and Mission Permit of Stay. A person may not be employed as a member of the U.S. Civilian Component in Italy if they hold U.S.-Italian dual citizenship. Further, service members on terminal leave in anticipation of retirement may not begin employment as a member of the Civilian Component until their terminal leave is completed.

(4) Members of U.S. Forces and Civilian Component who are married to service or Civilian Component members stationed in Italy. Upon separation or retirement, members, who intend to remain in Italy due to marriage to a service or civilian component member, shall consult the appropriate Passport Administrative Agency for their unit to determine the appropriate documentation (to include Mission Permit of Stay).

(5) Members of the U.S. Forces or Civilian Component separating or retiring to become Civilian Personnel. Such personnel should consult references (f) and (g) for the specific procedures and immigration requirements. Further, service members on terminal leave in anticipation of retirement may not begin employment as a Civilian Personnel until their terminal leave is completed.

(6) Members of U.S. Forces and Civilian Component married to an Italian national or EU citizen who seek to establish Italy as their lawful permanent residence. Upon separation or retirement, members, who intend to remain in Italy due to marriage to an Italian national or EU citizen, must obtain the appropriate immigration documents to remain in Italy. Personnel should consult with the Italian Questura with cognizance over the member's place of residence in order to determine the appropriate documentation. Such personnel become ordinarily resident, thus precluded from employment with the U.S. Forces with status under references (a) through (d).

(7) Members of U.S. Forces or Civilian Component who intend to retire and establish Italy as their lawful permanent residence. Upon retirement, members who desire to remain in Italy, ordinarily resident, must obtain the appropriate immigration documents to remain in Italy. Personnel should consult with the Italian Consulate with cognizance over the member's place residence to determine the appropriate documentation. Such personnel become ordinarily resident, thus precluded from employment with the U.S. Forces with status under references (a) through (d).

c. Additional Information. More information on Italian immigration requirements can be found in reference (h) or at the Electronic Foreign Clearance Guide website, http://www.fcg.pentagon.mil/fcg/fcg.htm. More information on Italian Consulate locations and visa requirements may be found at the Italian Embassy website at www.italyemb.org.

5. Personal property.

a. Upon separation or retirement in Italy, members of the U.S. Forces, Civilian Component, or Civilian Personnel responsible for the original importation of duty-free goods must export such goods or otherwise legally dispose of them as provided in reference (d).

b. Notwithstanding the above provisions, members who are married to a service member stationed in Italy, service members who separate to become members of the Civilian Component, and members who separate to become Civilian Personnel may retain their personal property in Italy, duty-free, during such affiliation or employment that provides status under references (a) through (d).

6. Privately Owned Vehicles (POVs).

a. The personnel and their dependents listed below lose all POV duty exemption and tax exemption privileges afforded to them. These persons must consult their installation motor vehicle registration office (MVRO) for the procedures for the shipping, sale, nationalization, or disposal of their POVs in accordance with reference (d).

(1) Members of the U.S. Forces, Civilian Component, or Civilian Personnel who separate or retire and obtain employment on the economy in Italy.

(2) Members of the U.S. Forces, Civilian Component, or Civilian Personnel who separate or retire, are married to an Italian national or EU national and wish to make Italy their lawful permanent residence, based upon the marital status.

(3) Members of the U.S. Forces, Civilian Component, or Civilian Personnel who separate or retire and who wish to make Italy their lawful permanent residence, and who do not intend to seek any employment in Italy upon separation or retirement.

b. Members of the U.S. Forces and Civilian Component, or Civilian Personnel who legally change their status without becoming ordinarily resident retain POV duty exemption and tax exemption privileges. These members are required to contact the cognizant MVRO to amend their documents and registration, reflecting their change in status.

7. Notice to Questura.

a. When members of the U.S. Forces or Civilian Component leave the employment of the U.S. Government and remain in Italy, without affiliation with U.S. Forces, such members shall contact the Questura to arrange for proper residence documents.

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