

The Embassy of the United States of America presents its compliments to the Federal Foreign Office and has the honor to confirm receipt of its Note Verbale 503-554.60/5 of 10 December 2003, which reads as follows:

“The Federal Foreign Office has the honor to refer to the Arrangement constituted by the Exchange of Notes of 27 March 1998 between the Government of the Federal Republic of Germany and the Government of the United States of America regarding the application of Article 73 of the Supplementary Agreement to the NATO Status of Forces Agreement and to propose to the Embassy of the United States of America that the following Amendatory Arrangement be concluded:

1. In number 3, paragraph a, sentence 2 of the Arrangement of 27 March 1998 between the Government of the Federal Republic of Germany and the Government of the United States of America regarding the application of Article 73 of the Supplementary Agreement to the NATO Status of Forces Agreement the words “whether, as soon as it is known, the work is to be performed by the contractor itself or by a subcontractor” are inserted after the words “is to operate,”. The words “or of the subcontractor’s staff” are inserted after the words “how many of its staff”. The amended sentence 2 shall read as follows: “Such notification shall contain information as to the nature of the work to be performed by the contractor, at what locations in Germany the contractor is to operate, whether, as soon as it is known, the work is to be performed by the contractor itself or by a subcontractor, how many of its staff or of the subcontractor’s staff are to be employed at such locations as well as how many are to be employed as technical experts pursuant to Article 73 of the NATO SOFA SA.”
2. The following sentence 4 is inserted after number 3, paragraph a, sentence 3 of the Arrangement: “If there is a change of contractor or upon conclusion of a contract

with a subcontractor, the responsible authorities of the U.S. Forces shall, as early as possible, provide the responsible authorities of the Land concerned with the name and address of the company as well as with the information listed in sentences 1 to 3 above, to the extent that changes have occurred.”

3. This Amendatory Arrangement shall be concluded in the German and English languages, both texts being equally authentic.

If the Government of the United States of America agrees to the proposals of the Government of the Federal Republic of Germany contained in numbers 1 to 3 above, this Note Verbale and the Note in reply thereto from the Embassy of the United States of America expressing the agreement of the Government of the United States of America shall constitute an Arrangement to amend the aforementioned Arrangement of 27 March 1998, which shall enter into force on 10 December 2003.

The Federal Foreign Office avails itself of this opportunity to renew to the Embassy of the United States of America the assurance of its high consideration.”

The Embassy of the United States of America has the honor to inform the Federal Foreign Office that the Government of the United States of America agrees to the proposals submitted by the Government of the Federal Republic of Germany. Thus the Note Verbale of the Federal Foreign Office No. 503-554.60/5 USA of 10 December 2003 and this Note in reply thereto shall constitute an Arrangement to amend the Arrangement concluded by the Exchange of Notes of 27 March 1998 between the Government of the United States of America and the Government of the Federal Republic of Germany regarding the application of Article 73 of the Supplementary Agreement to the NATO Status of Forces Agreement (NATO SOFA SA) which shall take effect on 10 December and the English and German versions of which shall be equally authentic.

The Embassy of the United States of America avails itself of this opportunity to renew to the Federal Foreign Office the assurance of its highest consideration.

Embassy of the United States of America

Berlin, 10 December 2003