DEFENSE

Agreement Between the
UNITED STATES OF AMERICA
and GERMANY

Amending the Agreement of January 16 and February 9, 2001, as amended and extended

Signed at Washington and Koblenz July 28 and September 16, 2020

Entered into force September 16, 2020
NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“. . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”
AMENDMENT THREE
TO THE
AGREEMENT
BETWEEN
THE DEPARTMENT OF DEFENSE
OF THE UNITED STATES OF AMERICA
AND THE
FEDERAL MINISTRY OF DEFENSE OF THE FEDERAL REPUBLIC
OF GERMANY
CONCERNING
IN-SERVICE SUPPORT OF THE ROLLING AIRFRAME MISSILE MK-31 GUIDED MISSILE
WEAPON SYSTEM

(SHORT TITLE: AMENDMENT THREE TO THE AGREEMENT)
PREAMBLE

The Department of Defense of the United States of America (U.S. DoD) and the Federal Ministry of Defense of the Federal Republic of Germany (GE MOD), hereinafter referred to as the "Parties";

Considering the Agreement Between the Department of Defense of the United States of America and the Federal Ministry of Defense of the Federal Republic of Germany Concerning In-Service Support of the Rolling Airframe Missile (RAM) Guided Missile Weapon System, which entered into force February 9, 2001, was amended on May 18, 2010, and July 30, 2014, and remains in force through September 27, 2021 (the "Agreement"); and

Recognizing the need to amend the Agreement, as amended, in order to continue successful in-service support of the RAM Guided Missile Weapon System (GMWS);

Have agreed as follows:

ARTICLE I
PURPOSE

The purpose of this Amendment Three to the Agreement is to increase the Cost Ceiling and extend the duration of the Agreement through September 30, 2027.

ARTICLE II
AMENDMENT

The Agreement, as amended, is further amended as follows:

1. Delete paragraph 3.1.5. of Article III (Scope of Work) of the Agreement, as amended, and insert in its place the following:

   "3.1.5. Data Evaluation

   Collect, analyze, and share operation, performance, safety, surveillance, maintenance, repair, warranty, and overhaul RAM GMWS data gathered through national and joint efforts. This data shall be maintained and stored on common databases.

   Execute a quality evaluation program in accordance with the RAM QEPP.

   Execute a common ordnance assessment."

2. Delete paragraph 5.2. of Article V (Financial Provisions) of the Agreement, as amended, and insert in its place the following:

   "5.2. Costs of In-Service Support and RAMPO administration shall not exceed a Cost Ceiling of 300.572 million 1999 U.S. dollars. This Cost Ceiling may only be
changed by amendment to this agreement in accordance with Article XVIII
(Amendment, Termination, Entry Into Force, and Duration) of this Agreement, as
amended. The maximum U.S. DoD contribution to the Cost Ceiling is 150.286
million U.S. dollars, and the maximum GE MOD contribution is 150.286 million
U.S. dollars. The financial contributions required for these costs shall be shared in
accordance with Annex A (Financial Matters).”

3. Delete paragraph 18.8. of Article XVIII (Amendment, Termination, Entry Into Force, and
Duration) of the Agreement, as amended, and insert in its place the following:

“18.8. This Agreement, which consists of eighteen Articles and one Annex, shall enter into
force upon signature by both Parties, and shall remain in force through September
30, 2027. It may be extended by written agreement of the Parties.”

4. Delete Annex A (Financial Matters) to the Agreement, as amended, and insert in its place
the following:

**ANNEX A**

**FINANCIAL MATTERS ($)**

<table>
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<tr>
<th></th>
<th>FY 2000-FY 2021</th>
<th>FY 2022</th>
<th>FY 2023</th>
<th>FY 2024</th>
<th>FY 2025</th>
<th>FY 2026</th>
<th>FY 2027</th>
<th>TOTAL</th>
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<td><strong>FINANCIAL</strong></td>
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<td></td>
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<tr>
<td><strong>CONTRIBUTIONS</strong></td>
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<td>U.S. DoD ($)</td>
<td>$103,006</td>
<td>$7,495</td>
<td>$7,645</td>
<td>$7,798</td>
<td>$7,954</td>
<td>$8,113</td>
<td>$8,275</td>
<td>$150,286</td>
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<tr>
<td>GE MOD ($)</td>
<td>$103,006</td>
<td>$7,495</td>
<td>$7,645</td>
<td>$7,798</td>
<td>$7,954</td>
<td>$8,113</td>
<td>$8,275</td>
<td>$150,286</td>
</tr>
<tr>
<td><strong>TOTAL CONTRIBUTIONS</strong></td>
<td>$206,012</td>
<td>$14,990</td>
<td>$15,290</td>
<td>$15,596</td>
<td>$15,908</td>
<td>$16,226</td>
<td>$16,550</td>
<td>$300,572</td>
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</table>
ARTICLE III
ENTRY INTO FORCE

This Amendment Three to the Agreement shall enter into force upon signature by both Parties. This Amendment Three to the Agreement shall remain in force through September 30, 2027. Unless specifically amended herein, all other provisions of the Agreement, as amended, remain unchanged.

In witness whereof, the undersigned, being duly authorized by their Governments, have signed this Amendment Three to the Agreement.

FOR THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA

[Signature]

F. D. Morley
Rear Admiral, U.S. Navy
Name
Deputy Assistant Secretary of the Navy for International Programs
Title
28 Jul 2020
Date
Washington, D.C.
Location

FOR THE FEDERAL MINISTRY OF DEFENSE OF THE REPUBLIC OF GERMANY

[Signature]

Name
Title
Date
Location
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F. D. Morley
Rear Admiral, U.S. Navy

Name

Deputy Assistant Secretary of the Navy for International Programs

Title

Date

Washington, D.C.

Location

FOR THE FEDERAL MINISTRY OF
DEFENSE OF THE REPUBLIC OF GERMANY

Signature

Lohse - Emden

Name

VPräsidentin BABIN

Title

Date

Koblenz

Location