

No. 1180

**UNITED STATES OF AMERICA
and
BRAZIL**

**Exchange of notes constituting an agreement relating to a
co-operative survey programme for the study of Brazilian
mineral resources. Rio de Janeiro, 26 November 1948**

Official texts: English and Portuguese.

Registered by the United States of America on 1 May 1951.

**ÉTATS-UNIS D'AMÉRIQUE
et
BRÉSIL**

**Échange de notes constituant un accord relatif à un pro-
gramme commun d'étude des ressources minérales du
Brésil. Rio-de-Janeiro, 26 novembre 1948**

Textes officiels anglais et portugais.

Enregistré par les États-Unis d'Amérique le 1er mai 1951.

No. 1180. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND BRAZIL RELATING TO A CO-OPERATIVE SURVEY PROGRAMME FOR THE STUDY OF BRAZILIAN MINERAL RESOURCES. RIO DE JANEIRO, 26 NOVEMBER 1948

I

The American Ambassador to the Brazilian Acting Minister for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

Rio de Janeiro, November 26, 1948

No. 303

Excellency :

I have the honor to refer to conversations which have taken place between representatives of the Government of the United States of America and representatives of the Government of the United States of Brazil regarding the desirability of continuing the cooperative program established in 1940 for the study of Brazilian mineral resources by means of geological investigations, prospecting, beneficiation tests and related projects and for the purpose of furthering scientific collaboration between geologists, engineers, and metallurgists of the two countries in various projects relating to the mining economies of the two countries.

It is my understanding that these conversations have resulted in agreement upon a program for the joint study of Brazilian mineral resources to be carried on by the Bureau of Mines and the Geological Survey of the Department of the Interior on behalf of the Government of the United States of America and by the Departamento Nacional da Produção Mineral do Ministério da Agricultura on behalf of the Government of the United States of Brazil, in accordance with the following principles and procedures :

1. *General Purposes*—The Government of the United States of America, through the Bureau of Mines and the Geological Survey of the Department of the Interior, and the Government of the United States of Brazil, through the Departamento Nacional da Produção Mineral do Ministério da Agricultura, agree :

¹ Came into force on 26 November 1948, by the exchange of the said notes.

(a) To make appraisals of the mineral resources of Brazil by means of geological and mineralogical studies, with special emphasis upon the principal minerals which form part of the trade between the United States of America and Brazil and upon those minerals, not yet produced in great quantity in Brazil, which may enter into such trade in the future.

(b) To lay the scientific basis for the development of those resources, including the preparation of such geologic, topographic and other maps as may be necessary.

(c) To promote the interchange of scientific knowledge and special techniques between the two countries, with special reference to aerial geologic mapping, topographic mapping, economic geology, and ground water and mineralogical investigations.

(d) To make technological investigations relating to the industrial use of Brazilian ores for internal consumption and for purposes of export.

(e) To study in detail the problems connected with prospecting, research, mining, beneficiation, and combustion of Brazilian coals.

2. *Assignment of Scientists*—The Government of the United States of America, through the Bureau of Mines and the Geological Survey, will assign scientists to undertake the studies referred to in the preceding paragraph, both in the United States of America and in Brazil.

The Government of the United States of Brazil, through the Departamento Nacional da Produção Mineral, will assign capable scientists to work in the United States of America and in Brazil in collaboration with the scientists assigned by the Bureau of Mines and the Geological Survey.

The two Governments shall provide ample facilities to those scientists in order that they may carry out their respective task in either country.

3. *Projects*—As used in the present agreement, the term “project” shall signify an investigation to be carried out within a specified period.

Specific projects will be agreed upon through consultation between representatives of the Embassy of the United States of America in Brazil and the Director General of the Departamento Nacional da Produção Mineral.

Such projects will be drawn up in flexible form in order to permit such modifications in scope and methods as may be required to satisfy local conditions as the work develops. Major revisions shall be agreed upon through consultation between the representatives of the Embassy of the United States of America in Brazil and the Director General of the Departamento Nacional da Produção Mineral. Each project will not be drawn up upon an annual basis but will continue for such period of time as may be necessary for its completion.

4. *Reports*—The investigations made in accordance with the present agreement will be reported for publication by the Bureau of Mines and the

Geological Survey or by the Departamento Nacional da Produção Mineral, or by all the agencies concerned. The reports will be restricted to the exclusive use of the respective Governments until both Governments have given their consent to the publication thereof.

When such consent has been given, announcement shall be made of the place or places at which such reports may be available for examination or the reports shall be published.

For the exclusive use of interested agencies of the two Governments, brief memoranda-reports relating to mineral deposits or particular problems may be prepared and furnished by the Bureau of Mines and the Geological Survey or by the Departamento Nacional da Produção Mineral.

Reports shall normally be prepared under the authorship of the collaborating scientists. Such reports may be prepared in either the United States of America or in Brazil. Laboratory and office facilities shall be furnished in the United States of America by the Bureau of Mines and the Geological Survey and in Brazil by the Departamento Nacional da Produção Mineral.

The Bureau of Mines and the Geological Survey shall be responsible for the distribution of reports to the appropriate agencies of the Government of the United States of America and to the public in that country. The Departamento Nacional da Produção Mineral shall be responsible for the distribution of reports to the appropriate agencies of the Government of the United States of Brazil and to the public of that country.

5. *Financial Conditions*—The salaries and expenses of scientists of the Bureau of Mines and the Geological Survey shall be defrayed by those agencies.

The salaries and expenses of scientists of the Departamento Nacional da Produção Mineral and of the Brazilian assistants such as draftsmen, rod men, axe men, guides, camp helpers, chauffeurs, mechanics, and laboratory assistants who may be required for any project shall be defrayed by that agency.

The Departamento Nacional da Produção Mineral shall bear the cost of transportation by common carrier within Brazil of United States personnel assigned to Brazil in accordance with the provisions of the present agreement.

Laboratory expenses incurred in the United States of America in connection with necessary investigations carried on at the Bureau of Mines or the Geological Survey shall be defrayed by those agencies.

6. *Specific Undertakings on the Part of the Government of the United States of Brazil*—The Government of the United States of Brazil agrees :

(a) To provide for the free entry into Brazil of scientists of the Bureau of Mines and the Geological Survey assigned to work on projects undertaken in accordance with the provisions of the present agreement.

(b) To provide for the entry free of duty and for the exemption from consumption and other taxes and charges of supplies, materials, and

equipment for the professional and personal use of scientists of the Bureau of Mines and the Geological Survey who may be assigned to Brazil in accordance with the provisions of the present agreement and for the personal effects, clothing, foodstuffs, and supplies of those scientists.

(c) To grant to scientists of the Bureau of Mines and the Geological Survey exemption from all Brazilian taxes based upon salaries.

(d) To permit the exportation free of taxes or other official charges of any supplies, materials, equipment, and effects brought into Brazil with the approval of the Departamento Nacional da Produção Mineral, in accordance with the provisions of the present agreement.

(e) To permit the exportation free of taxes or other official charges of any equipment purchased in Brazil with the approval of the Departamento Nacional da Produção Mineral and paid for by the Bureau of Mines and the Geological Survey.

(f) To permit the exportation free of taxes of geological specimens and samples intended for study at the Bureau of Mines and the Geological Survey in connection with projects undertaken in accordance with the provisions of the present agreement.

(g) To obtain exemption from all taxes imposed by the State Governments of Brazil on the forwarding of samples and the returning of equipment intended for use in connection with studies contemplated by the present agreement.

(h) To make available, within the limits imposed by local conditions, the use of automotive and air transportation facilities necessary or desirable in connection with projects undertaken in accordance with the provisions of the present agreement.

7. *Term*—The present agreement shall remain in effect for a period of ten years from the date of its entry into force and may be continued in force for an additional period by written agreement to that effect by the two Governments, but either Government may terminate the present agreement by giving to the other Government notice in writing sixty days in advance.

It is understood, of course, that participation by the Bureau of Mines and the Geological Survey on behalf of the Government of the United States of America, and of the Departamento Nacional da Produção Mineral on behalf of the Government of Brazil, in the projects contemplated by the agreement, will depend upon the availability of funds appropriated by the Congress of the United States of America and the Congress of the United States of Brazil.

Upon the receipt of a note from Your Excellency indicating that the foregoing principles and procedures are acceptable to the Government of the United States of Brazil, the Government of the United States of America will

consider that this note and your reply constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of Your Excellency's note.

Accept, Excellency, the renewed assurances of my highest consideration.

Herschel V. JOHNSON

His Excellency
Ambassador Hildebrando P. P. Accioly
Acting Minister for Foreign Affairs
Rio de Janeiro

II

The Brazilian Acting Minister for Foreign Affairs to the American Ambassador

PORTUGUESE TEXT — TEXTE PORTUGAIS

MINISTERIO DAS RELAÇÕES EXTERIORES

Rio de Janeiro

Em 26 de novembro de 1948

DAI/DE/144/592.6 (00)

Senhor Embaixador,

Tenho a honra de acusar o recebimento da nota nº 303, desta mesma data, na qual Vossa Excelência se refere às conversações realizadas entre as autoridades brasileiras e os representantes do Governo dos Estados Unidos da América, a respeito do prosseguimento do programa de cooperação, estabelecido em 1940, para o estudo dos recursos minerais do Brasil, por meio de pesquisas geológicas, localização das jazidas, ensaios de beneficiamento e projetos correlatos, e com o fim de impulsionar a colaboração científica entre geólogos, engenheiros e metalurgistas brasileiros e americanos, nos diversos projetos relacionados com a economia mineira dos dois países.

2. Observa Vossa Excelência que das mencionadas conversações resultou mútuo acôrdo sôbre o estabelecimento de um programa de estudo conjunto dos recursos minerais do Brasil, a ser levado a efeito por intermédio do Departamento Nacional da Produção Mineral do Ministério da Agricultura, por parte do Governo dos Estados Unidos do Brasil, e por intermédio do « Bureau of Mines », e do « Geological Survey » do departamento do Interior, por parte do Governo dos Estados Unidos da América, de conformidade com os seguintes princípios e processos :

1. *Objetivos Gerais.* O Governo dos Estados Unidos do Brasil, por meio do Departamento Nacional da Produção Mineral do Ministério da Agricultura,

poderá, porem, denunciá-lo por meio de notificação escrita dirigida ao outro Govêrno, com sessenta dias de antecedência.

Fica entendido que a participação do Departamento Nacional da Produção Mineral, por parte do Governo dos Estados Unidos do Brasil, do « Bureau of Mines » e do « Geological Survey », por parte do Govêrno dos Estados Unidos da América, nos projetos de que trata êste acôrdo, dependerão dos recursos orçamentários autorizados pelo Congresso dos Estados Unidos do Brasil e pelo Congresso dos Estados Unidos da América.

Em resposta, cabe-me levar ao conhecimento de Vossa Excelência que o Govêrno brasileiro concorda com os princípios e processos acima estabelecidos, constituindo, em consequência, esta nota e a de Vossa Excelência, a que a princípio me reporto, acôrdo entre os dois Governos, sôbre êste assunto, acôrdo que entrará em vigôr nesta data.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha mais alta consideração.

Hildebrando ACCIOLY

A Sua Excelência o Senhor Herschel V. Johnson
Embaixador dos Estados Unidos da América

TRANSLATION¹ — TRADUCTION²

MINISTRY OF FOREIGN RELATIONS

Rio de Janeiro
November 26, 1948

DAI/DE/144/592.6 (00)

Mr. Ambassador :

I have the honor to acknowledge the receipt of note No. 303, dated today, in which Your Excellency refers to the conversations which have taken place between the Brazilian authorities and representatives of the Government of the United States of America with respect to the continuation of the cooperative program established in 1940 for the study of the mineral resources of Brazil by means of geological investigations, prospecting, beneficiation tests and related projects and for the purpose of furthering scientific collaboration between Brazilian and American geologists, engineers and metallurgists in various projects relating to the mining economies of the two countries.

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

2. Your Excellency observed that these conversations have resulted in a mutual agreement on the establishment of a program of joint study of the mineral resources of Brazil, to be carried out by the Departamento Nacional da Produção Mineral do Ministério da Agricultura on behalf of the Government of the United States of Brazil, and by the Bureau of Mines and the Geological Survey of the Department of Interior on behalf of the Government of the United States of America, in accordance with the following principles and procedures :

[See note I]

In reply, I am to inform Your Excellency that the Brazilian Government is in agreement with the principles and procedures established above. Consequently, this note and Your Excellency's note to which I referred at the beginning will constitute an agreement between the two Governments on this subject, that agreement to enter into force on this date.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest consideration.

Hildebrando ACCIOLY

His Excellency Herschel V. Johnson
Ambassador of the United States of America