

**UNITED STATES OF AMERICA
and
BRAZIL**

Exchange of notes constituting an agreement extending and modifying the Agreement of 14 March 1942 relating to a co-operative program of health and sanitation. Rio de Janeiro, 22 July and 31 August 1949

Exchange of notes constituting an agreement further amending and extending the Agreement of 14 March 1942 relating to a co-operative program of health and sanitation. Rio de Janeiro, 27 December 1949 and 4 January 1950

Official texts: English and Portuguese.

Registered by the United States of America on 16 September 1951.

**ÉTATS-UNIS D'AMÉRIQUE
et
BRÉSIL**

Échange de notes constituant un accord prorogeant et modifiant l'Accord du 14 mars 1942 relatif à un programme de coopération en matière de santé et d'hygiène. Rio-de-Janeiro, 22 juillet et 31 août 1949

Échange de notes constituant un accord modifiant et prorogeant à nouveau l'Accord du 14 mars 1942 relatif à un programme de coopération en matière de santé et d'hygiène. Rio-de-Janeiro, 27 décembre 1949 et 4 janvier 1950

Textes officiels anglais et portugais.

Enregistrés par les États-Unis d'Amérique le 16 septembre 1951.

No. 1407. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND BRAZIL EXTENDING AND MODIFYING THE AGREEMENT OF 14 MARCH 1942² RELATING TO A CO-OPERATIVE PROGRAM OF HEALTH AND SANITATION. RIO DE JANEIRO, 22 JULY AND 31 AUGUST 1949

I

The American Ambassador to the Brazilian Minister for Foreign Affairs

Rio de Janeiro, July 22, 1949

No. 134

Excellency :

I have the honor to refer to the Basic Agreement, as amended, entered into in March 1942² on behalf of the Republic of the United States of Brazil and The Institute of Inter-American Affairs, providing for the present cooperative health and sanitation program in Brazil. I also refer to the note of Your Excellency's Ministry of July 2, 1949, DAI/80/512.(22),³ suggesting the consideration by our respective governments of a further extension of that Agreement.

Considering the mutual benefits which both Governments are deriving from the program, my Government agrees with the Government of Brazil that an extension of the program beyond its present termination date of June 30, 1949, would be desirable. Accordingly, I have been advised by the Department of State in Washington that arrangements may now be made for the Institute to continue its participation in the program for a period of six months from June 30, 1949 through December 31, 1949. It would be understood that the Institute will continue to pay salaries and other expenses of its health and sanitation field staff in Brazil during the period of such extension and that no additional financial contribution would be required to be made by the parties to such extension agreement to or on behalf of the Serviço Especial de Saúde Pública. It would be further understood that the unexpended and unobligated balance of all financial contributions heretofore made available by the parties pursuant to the mentioned Basic Agreement, as amended, for the

¹ Came into force on 4 October 1949, with retroactive effect from 30 June 1949, in accordance with the terms of the said notes.

² See p. 195 and p. 227 of this volume.

³ Not printed by the Department of State of the United States of America.

cooperative health and sanitation program, and remaining at the close of June 30, 1949, would continue to remain available for such purpose during the period covered by the extension agreement.

The Government of the United States of America will consider the present note and your reply concurring therein as constituting an agreement between our two Governments, which shall come into force after signature¹ of an agreement by the Minister of Education and Health of Brazil and a representative of The Institute of Inter-American Affairs, embodying the above-mentioned technical details and on the date the latter agreement is registered with the Tribunal de Contas of Brazil.²

If the proposed extension on the above basis is acceptable to the Government of Brazil, I would appreciate receiving an expression of Your Excellency's assurance to that effect as soon as may be possible, in order that the technical details of the extension may be worked out by the officials of the Ministry of Health and The Institute of Inter-American Affairs.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

Herschel V. JOHNSON

His Excellency Dr. Raul Fernandes
Minister for Foreign Affairs
Rio de Janeiro

II

The Brazilian Minister for Foreign Affairs to the American Ambassador

[PORTUGUESE TEXT - TEXTE PORTUGAIS]

[TRANSLATION³ — TRADUCTION⁴]

MINISTERIO DAS RELAÇÕES EXTERIORES
RIO DE JANEIRO

MINISTRY OF FOREIGN RELATIONS
RIO DE JANEIRO

Em 31 de agosto de 1949

August 31, 1949

DAI/111/512.(22)

DAI/111/512.(22)

Senhor Embaixador,

Mr. Ambassador :

Tenho a honra de acusar recebimento da nota nº 134, de 22 de julho último, na qual Vossa Excelência se refere ao Acôrdo Básico, tal como foi emendado, concluído em março de

I have the honor to acknowledge receipt of note No. 134, dated July 22, 1949, in which Your Excellency refers to the Basic Agreement, as amended, entered into in March 1942 by the

¹ The following information is provided by the Department of State of the United States of America, *Treaties and Other International Acts Series 2004*, p. 2, footnote 1 : " Sept. 1, 1949 ".

² *Idem*, p. 2, footnote 2 : " Oct. 4, 1949 ".

³ Translation by the Government of the United States of America.

⁴ Traduction du Gouvernement des États-Unis d'Amérique.

1942 entre o Governo dos Estados Unidos do Brasil e o «Institute of Inter-American Affairs», o qual estabeleceu o programa de cooperação, em realização, em matéria de saúde e saneamento no Brasil.

2. Informa-me Vossa Excelência, na referida nota, de que o Governo dos Estados Unidos da América, em virtude dos benefícios mútuos auferidos com o programa de cooperação mencionado, concorda com a sugestão feita pelo Governo dos Estados Unidos do Brasil, nos termos da nota do Ministério das Relações Exteriores, de nº DAI/80/512.(22), de 2 de julho último, no sentido de ser o mencionado programa prorrogado.

3. Comunica-me, assim, Vossa Excelência, que o Governo dos Estados Unidos da América considera que um ajuste pode ser feito, a fim de que o «Institute of Inter-American Affairs» continue sua participação no programa de cooperação mencionado, por um período de 6 meses além da data da terminação de sua presente vigência, ou seja de 30 de junho último a 31 de dezembro do corrente ano de 1949.

4. Ficará estipulado, no ajuste em questão, que, durante o referido período de prorrogação, o «Institute» continuará a pagar os salários e outras despesas de todo o pessoal encarregado de seus serviços de Saúde e Saneamento no Brasil, e que nenhuma contribuição financeira adicional será exigida das Partes no mencionado acôrdo de prorrogação, quer por parte do Serviço Especial de Saúde Pública, quer a favor do mesmo.

Government of the United States of Brazil and the Institute of Inter-American Affairs, which established the present health and sanitation program in Brazil.

In the aforementioned note, Your Excellency informs me that the Government of the United States of America, considering the mutual benefits derived from the above-mentioned cooperative program, agrees with the suggestion of the Government of the United States of Brazil, embodied in the terms of Note No. DAI/80/512.(22), dated July 2, 1949, that the aforesaid program be extended.

Your Excellency also informs me that the Government of the United States of America considers that an arrangement may now be made for the Institute to continue its participation in the afore-mentioned cooperative program for a period of 6 months beyond its present date of termination, that is, from June 30, 1949 through December 31, 1949.

The arrangement in question would stipulate that during the period of such extension the Institute will continue to pay the salaries and other expenses of all its health and sanitation field staff in Brazil and that no additional financial contribution would be required to be made by the parties to such extension agreement to or on behalf of the Serviço Especial de Saúde Pública.

5. Estipular-se-á, outrossim, que os saldos não gastos e não empenhados, relativos a todas as contribuições financeiras até a presente data, postos à disposição pelas Partes, de conformidade com o Acôrdo Básico mencionado, para o programa de cooperação em matéria de saúde e saneamento, tal como foi emendado, e existentes a 30 de junho de 1949, continuarão a ser aplicados, para o referido fim, durante o período de vigência do Acôrdo de prorrogação.

6. É-me grato comunicar a Vossa Excelência que o Govêrno dos Estados Unidos do Brasil concorda com o Govêrno dos Estados Unidos da América na prorrogação do Acôrdo de cooperação em matéria de saúde e saneamento no Brasil, nos têrmos acima expressos, devendo esta nota e a nota de Vossa Excelência, datada de 22 de julho último, e a que a princípio me reporto, constituir a expressão de tal Acôrdo entre os dois Governos, Acôrdo que entrará em vigor na data em que o respectivo Instrumento de prorrogação, assinado pelo Senhor Ministro de Estado da Educação e Saúde do Brasil e o Representante do « Institute of Inter-American Affairs », contendo os pormenores técnicos acima indicados, fôr registrado no Tribunal de Contas do Brasil.

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

Raul FERNANDES

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

It will also be stipulated that the unexpended and unobligated balance of all financial contributions heretofore made available by the parties pursuant to the mentioned Basic Agreement, as amended, for the cooperative health and sanitation program, and remaining at the close of June 30, 1949, would continue to remain available for such purpose during the period covered by the extension agreement.

I take pleasure in informing Your Excellency that the Government of the United States of Brazil agrees with the Government of the United States of America to the extension of the Agreement providing for the cooperative health and sanitation program in Brazil, in accordance with the aforementioned terms, and will consider this note and that of Your Excellency, dated July 22, 1949, to which I refer above, as constituting an agreement between our two Governments, which shall come into force on the date on which the appropriate extension agreement signed by the Minister of Education and Health of Brazil and a representative of the Institute of Inter-American Affairs, and embodying the above-mentioned technical details, is registered with the Tribunal de Contas of Brazil.

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

Raul FERNANDES

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

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
BRAZIL FURTHER AMENDING AND EXTENDING THE
AGREEMENT OF 14 MARCH 1942² RELATING TO A
CO-OPERATIVE PROGRAM OF HEALTH AND SANITA-
TION. RIO DE JANEIRO, 27 DECEMBER 1949 AND
4 JANUARY 1950

I

The American Ambassador to the Brazilian Minister for Foreign Affairs

Rio de Janeiro, December 27, 1949

No. 340

Excellency :

I have the honor to refer to the Basic Agreement between the Government of the United States of Brazil and The Institute of Inter-American Affairs arising out of the exchange of correspondence between the Acting Secretary of State of the United States of America and the Minister of Finance of Brazil on March 14, 1942,² as later modified and extended, which provided for the initiation and execution of the existing health and sanitation program in Brazil. I also refer to paragraph 2 of the note of Your Excellency's Ministry of December 24, 1949,³ suggesting the consideration by our respective Governments of a further extension of that Agreement.

As Your Excellency knows, the aforementioned Basic Agreement, as amended, provides that the health and sanitation program will terminate on December 31, 1949. However, considering the mutual benefits which both governments are deriving from the program, my Government agrees with the Government of Brazil, that an extension of such program would be desirable. I have been advised by the Department of State in Washington, D. C., that arrangements may now be made for the Institute to continue its participation in the cooperative program for a period of six (6) months from December 31, 1949 through June 30, 1950. It would be understood that, during such period of extension, the Institute would make a contribution of \$215,000 U. S. Cy. to the Serviço Especial de Saúde Pública (SESP) for use in carrying out project

¹ Came into force on 3 March 1950, with retroactive effect from 31 December 1949, in accordance with the terms of the said notes.

² See p. 195 of this volume. See also p. 227, p. 3 and p. 13.

³ Not printed by the Department of State of the United States of America.

activities of the program on condition that your Government would contribute to the SESP for the same purpose the sum of Cr\$70,000,000.00. The Institute would also be willing during the same extension period to make available funds to be retained by the Institute, and not deposited to the account of the SESP, for payment of salaries and other expenses of the members of the Institute Health and Sanitation Division Field Staff, who are maintained by the Institute in Brazil. The amounts referred to would be in addition to the sums already required under the present Basic Agreement to be contributed and made available by the parties in furtherance of the program.

If Your Excellency agrees that the proposed extension on the above basis is acceptable to your Government, I would appreciate receiving an expression of Your Excellency's opinion and agreement thereto as soon as may be possible in order that the technical details of the extension may be worked out by officials of the Ministry of Education and Health and The Institute of Inter-American Affairs.

The Government of the United States of America will consider the present note and your reply concurring therein as constituting an agreement between our two Governments, which shall come into force on the date of signature¹ of an agreement by the Minister of Education and Health of Brazil and by a representative of The Institute of Inter-American Affairs and after registration by the Tribunal de Contas of Brazil,² embodying the above-mentioned technical details.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

Herschel V. JOHNSON

His Excellency Dr. Raul Fernandes
Minister for Foreign Affairs
Rio de Janeiro

¹ The following information is provided by the Department of State of the United States of America, *Treaties and Other International Acts Series 2078*, p. 2, footnote 1: "Jan. 31, 1950".

² *Idem*, footnote 2: "Mar. 3, 1950".

II

The Brazilian Minister for Foreign Affairs to the American Ambassador

[PORTUGUESE TEXT - TEXTE PORTUGAIS]

[TRANSLATION¹ — TRADUCTION²]MINISTERIO DAS RELAÇÕES EXTERIORES
RIO DE JANEIROMINISTRY OF FOREIGN RELATIONS
RIO DE JANEIRO

Em 4 de janeiro de 1950

January 4, 1950

URGENTE
DAI/1/512.6(22)URGENT
DAI/1/512.6(22)

Senhor Embaixador,

Mr. Ambassador :

Tenho a honra de acusar recebimento da nota nº 340, de 27 de dezembro do ano findo, na qual Vossa Excelência se refere ao Acôrdio Básico entre o Governo dos Estados Unidos do Brasil e o « Institute of Inter-American Affairs », decorrente da troca de correspondência entre o Secretário de Estado, interino, dos Estados Unidos da América e o Ministro da Fazenda do Brasil, a 14 de março de 1942, tal como foi posteriormente modificado e prorrogado, o qual estabeleceu o início e a execução do programa, em realização, em matéria de saúde e saneamento no Brasil.

I have the honor to acknowledge receipt of note No. 340 of December 27, 1949, in which Your Excellency refers to the Basic Agreement between the Government of the United States of Brazil and the Institute of Inter-American Affairs, arising out of the exchange of correspondence between the Acting Secretary of State of the United States of America and the Minister of Finance of Brazil on March 14, 1942, as later modified and extended, which provided for the initiation and execution of the existing health and sanitation program in Brazil.

2. Informa-me Vossa Excelência, na referida nota, de que o Governo dos Estados Unidos da América, em virtude dos benefícios mútuos auferidos com o programa mencionado, concorda com a sugestão feita pelo Governo dos Estados Unidos do Brasil, nos termos da nota do Ministério das Relações Exteriores, de nº DAI/202/512.6(22), de 24 de dezembro último, no sentido de ser prorrogado o mencionado programa.

2. Your Excellency informs me, in the aforementioned note, that the Government of the United States of America, by virtue of the mutual benefits derived from the aforementioned program, agrees with the suggestion made by the Government of the United States of Brazil, in the terms of note No. DAI/202/512.6(22) of the Ministry of Foreign Affairs, of December 24, last, to the effect that the aforementioned program be extended.

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

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

3. Comunica-me, assim, Vossa Excelência que o Governo dos Estados Unidos da América considera que um ajuste pode ser feito, a fim de que o « Institute of Inter-American Affairs » continue sua participação no programa de cooperação em aprêço por um período de seis (6) meses além da data da terminação de sua presente vigência, ou seja, de 31 de dezembro de 1949 a 30 de junho de 1950.

4. Ficará estipulado, no ajuste em questão, que, durante o referido período de prorrogação, o « Institute » contribuirá para o Serviço Especial de Saúde Pública (SESP), do Brasil, com a importância de U.S.\$215,000.00 (duzentos e quinze mil dólares), moeda corrente dos Estados Unidos da América, a ser empregada na execução das atividades projetadas no programa, da mesma forma que o Governo dos Estados do Brasil contribuirá para o citado Serviço, para os mesmos fins, com a importância de Cr\$70.000.000,00 (setenta milhões de cruzeiros). O « Institute » proporcionará também, durante o mencionado período de prorrogação, somas destinadas ao pagamento de salários e outras despesas dos membros do Corpo especializado da Divisão de Saúde e Saneamento do « Institute », mantidos por êste último no Brasil, as quais não serão depositadas na conta do SESP e permanecerão na posse do « Institute ». As referidas quantias serão em acréscimo às somas já exigidas na vigência do presente Acôrdo Básico, como contribuição das Partes a ser utilizada no prosseguimento do programa.

5. É-me grato comunicar a Vossa Excelência que o Governo dos Estados

3. Your Excellency likewise informs me that the Government of the United States of America is of the opinion that an arrangement may be made for the Institute of Inter-American Affairs to continue its participation in the cooperative program under consideration for a period of six (6) months beyond the date of termination of its present term, namely, from December 31, 1949, to June 30, 1950.

4. It shall be stipulated, in the arrangement in question, that, during the aforementioned period of extension, the Institute shall contribute to the Serviço Especial de Saúde Pública (SESP), of Brazil, in the amount of \$215,000.00 (two hundred and fifteen thousand dollars), currency of the United States of America, to be employed in the carrying out of the project activities of that program, and that, similarly, the Government of the United States of Brazil shall contribute to the aforementioned Service for the same purpose the sum of Cr. \$70,000,000.00 (seventy million cruzeiros). The Institute shall also, during the aforementioned extension period, make available funds for the payment of salaries and other expenses of the members of the Institute's Health and Sanitation Division Field Staff, who are maintained by the latter in Brazil, which sums will not be deposited to the account of the SESP and are to be retained by the Institute. The amounts referred to are to be in addition to the sums already required under the present Basic Agreement as a contribution by the Parties to be used in furtherance of the program.

5. I am happy to communicate to Your Excellency that the Government

Unidos do Brasil concorda com o Governo dos Estados Unidos da América na prorrogação do Acôrdo de cooperação em matéria de saúde e saneamento no Brasil, nos termos acima expressos, devendo esta nota e a nota de Vossa Excelência, datada de 27 de dezembro último, e a que a princípio me reporto, constituir a expressão de tal Acôrdo entre os dois Governos, Acôrdo que entrará em vigor na data em que o respectivo Instrumento de prorrogação, assinado pelo Senhor Ministro de Estado da Educação e Saúde do Brasil e o Representante do « Institute of Inter-American Affairs », contendo os pormenores técnicos acima indicados, fôr registrado no Tribunal de Contas do Brasil.

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

Raul FERNANDES

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

of the United States of Brazil agrees with the Government of the United States of America on the extension of the Agreement for cooperation in the matter of health and sanitation in Brazil, in the terms expressed above, this note and the note of Your Excellency, dated December 27 last, to which I refer at the beginning, to constitute the setting forth of such Agreement between our two Governments, which Agreement shall come into force on the date on which the respective Instrument of extension, signed by His Excellency the Minister of State for Education and Health of Brazil and the Representative of the Institute of Inter-American Affairs, embodying the above-mentioned technical details, shall be registered in the Tribunal de Contas of Brazil.

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

Raul FERNANDES

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