

No. 2171

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**UNITED STATES OF AMERICA  
and  
BRAZIL**

**Exchange of notes constituting an agreement relating to the  
transfer of United States naval vessels to Brazil.  
Washington, 4 January 1951**

*Official texts: English and Portuguese.*

*Registered by the United States of America on 11 May 1953.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
BRÉSIL**

**Échange de notes constituant un accord relatif à la cession  
au Brésil de certains navires de guerre des États-Unis.  
Washington, 4 janvier 1951**

*Textes officiels anglais et portugais.*

*Enregistré par les États-Unis le 11 mai 1953.*

No. 2171. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND BRAZIL RELATING TO THE TRANSFER OF UNITED STATES NAVAL VESSELS TO BRAZIL. WASHINGTON, 4 JANUARY 1951

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I

*The Secretary of State to the Brazilian Ambassador*

DEPARTMENT OF STATE  
WASHINGTON

January 4, 1951

Excellency :

I have the honor to refer to the negotiations between representatives of the Brazilian Embassy and the Department of the Navy concerning the proposed transfer of United States Naval vessels to Brazil, which are now satisfactorily concluded. It is understood that the Brazilian Government has requested that the following vessels be transferred :

*U.S.S. Philadelphia* (CL 41)

*U.S.S. St. Louis* (CL 49)

It gives me pleasure to inform Your Excellency that the Government of the United States of America is prepared to transfer these vessels under the authority of section 408 (e) of the Mutual Defense Assistance Act of 1949,<sup>2</sup> as amended,<sup>3</sup> on the understanding that the Brazilian Government accepts the undertakings which follow :

1. Prior to the transfer to the Brazilian Government of the vessels listed above and certain accompanying materials together with the supply of certain services, the Brazilian Government will make available to the Government of the United States of America funds in dollars as specified in the memorandum of understanding referred to below.

2. The Brazilian Government will not transfer title to or possession of these vessels and any accompanying materials or information without the prior consent of the Government of the United States of America.

3. The Brazilian Government will protect the security of any article, service or information furnished in connection with the transfer of the vessels requested.

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<sup>1</sup> Came into force on 4 January 1951, by the exchange of the said notes.

<sup>2</sup> United States of America : 63 Stat. 720.

<sup>3</sup> United States of America : 64 Stat. 376.

4. The Brazilian Government agrees to use these vessels and materials to further the policies and purposes of the Mutual Defense Assistance Act (as to which the Brazilian Government has been fully informed) and, in particular, in support of the obligations resting upon it and the other nations bound by the Inter-American Treaty of Reciprocal Assistance of September 2, 1947;<sup>1</sup> and, that the vessels will not be used except to maintain the internal security of Brazil, the legitimate self-defense of Brazil, or the common defense and the maintenance of the peace and security of the continent.

5. The Brazilian Government will furnish, as may be agreed, equipment and materials, services, or other assistance, consistent with the Charter of the United Nations, to the United States or to other nations eligible for assistance under the Mutual Defense Assistance Act to further the policies and purposes of that Act.

It is understood that a memorandum of understanding concerning the details of the transfer, supply and payment will be entered into between representatives of the Brazilian Government and the United States Department of the Navy as a part of the present agreement.

In order to facilitate any future transfer of military equipment and materials and the supply of services to the Brazilian Government, it is proposed that the Brazilian Government accept the undertakings contained in this note not only as they relate to the transfer of the vessels and materials in question, but also as to any military equipment, materials or services hereafter transferred to it.

Upon the receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Brazilian Government, the Government of the United States of America will consider that this note and your reply thereto constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of your note in reply.

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

For the Secretary of State :  
Edward G. MILLER

His Excellency Mauricio Nabuco  
Ambassador of Brazil

<sup>1</sup> United Nations, *Treaty Series*, Vol. 21, p. 77; Vol. 26, p. 417, and Vol. 82, p. 330.

## II

*The Brazilian Ambassador to the Secretary of State*

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

## EMBAIXADA

DOS ESTADOS UNIDOS DO BRASIL

No 5/534.0(22)

Washington, em 4 de janeiro de 1951

Senhor Secretário de Estado,

Tenho a honra de acusar o recebimento da nota, datada de 4 de janeiro corrente, relativa à transferência pelo Governo dos Estados Unidos da América ao Governo do Brasil dos cruzadores USS *Philadelphia* (CL 41) e USS *St. Louis* (CL 49), nos termos da secção 408 (e) da “Lei de Assistência Mútua para a Defesa”, de 1949 (Mutual Defense Assistance Act of 1949), com suas emendas.

2. Em resposta, tenho a satisfação de levar ao conhecimento de Vossa Excelência que o Governo do Brasil está de acôrdo com os termos da referida nota, a qual, juntamente com a presente resposta, constitui um acôrdo a vigorar na matéria, entre os nossos respectivos Governos, a partir de hoje.

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

M. NABUCO

A Sua Excelência o Senhor Dean Acheson

Secretário de Estado dos Estados Unidos da América

## EMBASSY

OF THE UNITED STATES OF BRAZIL

No. 5/534.0(22)

Washington, January 4, 1951

Mr. Secretary of State,

I have the honor to acknowledge receipt of the note, dated the 4th of the current month, relating to the transfer by the Government of the United States of America to the Government of Brazil of the vessels U.S.S. *Philadelphia* (CL 41) and U.S.S. *St. Louis* (CL 49) under the terms of Section 408 (e) of the “Mutual Defense Assistance Act of 1949”, as amended.

2. In reply, I have the pleasure of informing Your Excellency that the Government of Brazil agrees to the terms of the aforesaid note, which, together with this reply, constitutes an agreement between our respective Governments on this subject, to enter into force today.

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

M. NABUCO

His Excellency Dean Acheson

Secretary of State of the United States of America

<sup>1</sup> Translation by the Government of the United States of America.<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.