

No. 2420

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**UNITED STATES OF AMERICA  
and  
FRANCE**

**Exchange of notes constituting an agreement relating to  
guaranties under section 111 (b) (3) of the Economic  
Cooperation Act of 28 June 1948, as amended. Wash-  
ington, 9 and 22 July 1952**

*0 inset.*

*Official texts: English and French.*

*Registered by the United States of America on 4 December 1953.*

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

**Échange de notes constituant un accord relatif aux garanties  
prévues par l'article III, b, 3, de la loi de 1948 sur la  
coopération économique, sous sa forme modifiée.  
Washington, 9 et 22 juillet 1952**

*Textes officiels anglais et français.*

*Enregistré par les États-Unis d'Amérique le 4 décembre 1953.*

No. 2420. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND FRANCE RELATING TO GUARANTIES UNDER SECTION 111 (b) (3) OF THE ECONOMIC COOPERATION ACT OF 28 JUNE 1948, AS AMENDED.<sup>3</sup> WASHINGTON, 9 AND 22 JULY 1952

N° 2420. ÉCHANGE DE NOTES CONSTITUANT UN ACCORD<sup>2</sup> ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET LA FRANCE RELATIF AUX GARANTIES PRÉVUES PAR L'ARTICLE 111, b, 3, DE LA LOI DE 1948 SUR LA COOPÉRATION ÉCONOMIQUE, SOUS SA FORME MODIFIÉE. WASHINGTON, 9 ET 22 JUILLET 1952

## I

*The Acting Secretary of State to the French Chargé d'Affaires ad interim*

DEPARTMENT OF STATE  
WASHINGTON

July 9, 1952

Sir :

I refer to the conversations which have recently taken place between representatives of our two Governments relating to Article III of the Economic Cooperation Agreement between the United States of America and the Republic of France, signed at Paris on June 28, 1948, as heretofore amended or supplemented.<sup>4</sup> As a consequence of these conversations, the Government of the United States of America proposes the following agreement to the Government of the Republic of France :

The Governments of the Republic of France and of the United States of America will, upon the request of either of them, consult respecting projects in the Republic of France proposed by nationals of the United States of America with regard to which guaranties under Section 111 (b) (3) of the Economic Cooperation Act of 1948, as heretofore amended,<sup>2</sup> have been made or are under consideration. With respect to such guaranties extending to projects which are approved by the Government of the Republic of France in accordance with the provisions of the aforesaid Section, the Government of the Republic of France agrees :

<sup>1</sup> Came into force on 24 July 1952, in accordance with the terms of the said notes.

<sup>2</sup> Entré en vigueur le 24 juillet 1952, conformément aux dispositions desdites notes.

<sup>3</sup> United States of America : 62 Stat. 144 ; 22 U.S.C. § 1509 (b) (3).

<sup>4</sup> United Nations, *Treaty Series*, Vol. 19, p. 9 ; Vol. 34, pp. 418 and 421 ; Vol. 79, p. 270 ; Vol. 141, p. 358, and Vol. 174, p. 284.

*a.* That if the Government of the United States of America makes payment in United States dollars to any person under any such guaranty, the Government of the Republic of France will recognize the transfer to the United States of America of any right, title or interest of such person in assets, currency, credits, or other property on account of which such payment was made and the subrogation of the United States of America to any claim or cause of action of such person arising in connection therewith. The Government of the Republic of France shall also recognize any transfer to the Government of the United States of America pursuant to such guaranty of any compensation for loss covered by such guaranties received from any source other than the Government of the United States of America ;

*b.* That any claim against the Government of the Republic of France to which the Government of the United States of America may be subrogated as the result of any payment under such a guaranty shall be deemed to be an espoused claim subject to the procedures provided in Article X of the aforesaid Economic Cooperation Agreement, whether or not the condition stated in paragraph 3 of said Article X has been satisfied ;

*c.* That any currency transferred to the United States of America pursuant to the terms of any such guaranty shall be accorded the treatment provided in the second paragraph of the letter of March 3, 1949 from the Financial Counsellor of the French Embassy to the United States Administrator for Economic Cooperation.

If this proposal is acceptable to the Government of the Republic of France it is suggested that you reply by note. This note, together with such reply, will constitute an agreement between our two Governments on this subject, the agreement to enter into force on the date of receipt of your reply note.

Accept, Sir, the renewed assurances of my high consideration.

For the Acting Secretary of State :

James C. H. BONBRIGHT

The Honorable Jean Daridan  
Chargé d'Affaires ad interim of the  
French Republic

[TRADUCTION — TRANSLATION]

*Le Secrétaire d'État des États-Unis d'Amérique par intérim au Chargé d'affaires de France*

DÉPARTEMENT D'ÉTAT  
WASHINGTON

Le 9 juillet 1952

Monsieur le Chargé d'affaires,

[Voir note II]

b) Toute réclamation contre le Gouvernement de la République française à laquelle le Gouvernement des États-Unis pourrait être subrogé comme conséquence d'un paiement fait au titre d'une telle garantie sera considérée comme une réclamation que ce gouvernement aura « faite sienne » et, comme telle, soumise aux procédures prévues à l'article X de l'Accord de coopération économique, précité ; et ce, que la condition stipulée au paragraphe 3 dudit article X soit, ou non, remplie.

c) Toute somme d'argent transférée au Gouvernement des États-Unis d'Amérique comme suite aux dispositions d'une telle garantie, bénéficiera du régime prévu au second paragraphe de la lettre adressée le 3 mars 1949 par l'Attaché financier près l'Ambassade de France, à l'Administrateur américain de la coopération économique.

Le Gouvernement de la République française accepte ces propositions.

La présente note et la note de Votre Excellence du 9 juillet vaudront accord de nos deux gouvernements sur ce sujet ; cet accord entrera en vigueur avec l'envoi à Votre Excellence de la présente note.

Veillez agréer, Monsieur le Secrétaire d'État, les assurances renouvelées de ma haute considération.

H. BONNET

Son Excellence Monsieur Dean Acheson  
Secrétaire d'État  
Washington, D. C.

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

*The French Ambassador to the Secretary of State*

EMBASSY OF FRANCE IN THE UNITED STATES

Washington, July 22, 1952

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Mr. Secretary of State,

I refer to the conversations which took place recently between the representatives of our two Governments on the subject of Article III, as amended and completed, of the Agreement for Economic Cooperation signed at Paris on June 28, 1948, by the United States of America and the French Republic.

Following those conversations the Government of the United States of America proposed, in Your Excellency's note dated July 9, the following text of agreement to the Government of the French Republic :

[See note I]

The Government of the French Republic accepts these proposals.

<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.

The present note and Your Excellency's note of July 9 shall constitute an agreement of our two Governments on this matter; this agreement shall come into force with the dispatch to Your Excellency of the present note.

Please accept, Mr. Secretary of State, the renewed assurances of my high consideration.

H. BONNET

His Excellency Dean Acheson  
Secretary of State  
Washington, D. C.