

No. 3215

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**UNITED STATES OF AMERICA  
and  
NORWAY**

**Exchange of notes constituting an agreement relating to a  
special program of facilities assistance for mutual  
defense. Oslo, 7 May 1954**

*Official text: English.*

*Registered by the United States of America on 6 April 1956.*

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

**Échange de notes constituant un accord relatif à un  
programme spécial d'aide en moyens de production  
pour la défense mutuelle. Oslo, 7 mai 1954**

*Texte officiel anglais.*

*Enregistré par les États-Unis d'Amérique le 6 avril 1956.*

No. 3215. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND NORWAY RELATING TO A SPECIAL PROGRAM OF FACILITIES ASSISTANCE FOR MUTUAL DEFENSE. OSLO, 7 MAY 1954

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I

*The American Ambassador to the Norwegian Minister for Foreign Affairs*

AMERICAN EMBASSY

No. 314

Oslo, May 7, 1954

Excellency :

I have the honor to refer to recent discussions between representatives of our two Governments concerning a special program of facilities assistance by the Government of the United States to the Government of Norway to be carried out in accordance with the principles and conditions set forth in the Mutual Defense Assistance Agreement between our two Governments, dated January 27, 1950,<sup>2</sup> as supplemented by an exchange of notes dated January 8, 1952,<sup>3</sup> and such other applicable agreements as may be in force between our two Governments. The purpose of this program is to increase the capacity of Norway to produce propellants and explosives, such increased capacity being urgently needed for the mutual defense of the North Atlantic Treaty<sup>4</sup> countries.

As a result of these discussions, the following understandings were arrived at :

- (1) The Government of Norway undertakes that in connection with the facilities assistance to be furnished by the United States :
- (a) It will not discriminate in the sale of propellants and explosives against any North Atlantic Treaty country in terms of the price charged, the quality made available, delivery dates, or in any other manner.

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<sup>1</sup> Came into force on 7 May 1954 by the exchange of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 80, p. 241 ; Vol. 157, p. 366 ; Vol. 178, p. 388, and Vol. 223, p. 326.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 179, p. 185.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 34, p. 243, and Vol. 126, p. 350.

- (b) It will maintain the additional facilities made available through United States assistance so that they will be in a condition to produce propellants and explosives promptly when they may be required ; but pending such time, equipment furnished by the United States and such additional facilities may be used for other purposes, provided such use will not interfere with the ready availability of such equipment and facilities for the production of propellants and explosives.
- (c) It will furnish all of the land, buildings, equipment, materials, and services required for the additional production facilities, except for the equipment and technical advice to be furnished by the Government of the United States, and will take whatever measures are required to accomplish the increase in production facilities envisaged in the program.

(2) It is mutually understood that the appropriation of funds by the United States Congress for the Facilities Assistance Program was for the purpose of assisting in the creation of a net addition to European ammunition production capacity. In furtherance of this purpose, the Government of Norway undertakes that, in addition to the new facilities provided for hereunder, it will maintain or cause to be maintained in useable condition a total production capacity for propellants and explosives which shall be not less than the aggregate of that now existing and that already programmed for construction in Norway, whether under private or public ownership.

(3) The undertakings in Paragraph 1 (b) and in Paragraph 2 with respect to the maintenance of facilities is subject to the understanding that should changed conditions make continued compliance with this undertaking either unnecessary as a matter of defense or unfeasible, the Norwegian Government may, after consultation with the United States Government, modify this undertaking to accord with such changed conditions.

(4) The Government of the United States will, subject to the terms and conditions of any applicable United States legislation, furnish to the Government of Norway such production equipment and technical advice as may be mutually arranged as provided in paragraph (5) hereof.

(5) In carrying out the facilities assistance program, our two Governments, acting through their appropriate contracting officers, will enter into supplementary arrangements covering the specific projects involved, which will set forth the nature and amounts of the contributions to be made by the Government of the United States and the Government of Norway, the description and purpose of the facilities to be established, and other appropriate details. Such arrangements may include provisions for the procurement from the Government of Norway under the offshore procurement program of equipment to be furnished by the United States Government, and the transfer of such equipment to the Government of Norway in accordance with the provisions of the Mutual Defense Assistance Agreement.

I propose that if these understandings meet with the approval of the Government of Norway, the present note and your note in reply shall be considered as

constituting a confirmation of these arrangements pursuant to Article I, Paragraph 1 of the Mutual Defense Assistance Agreement between our two Governments.

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

L. Corrin STRONG

His Excellency Halvard M. Lange  
Royal Norwegian Minister for Foreign Affairs  
Oslo

## II

### *The Norwegian Minister for Foreign Affairs to the American Ambassador*

MINISTÈRE ROYAL DES AFFAIRES ÉTRANGÈRES

Oslo, 7th May, 1954

Excellency,

I have the honour to acknowledge receipt of your Excellency's note of to-day's date which reads as follows :

[See note I]

In reply I have the honour to confirm that the provisions set forth in the said note are acceptable to the Norwegian Government and that they agree with your proposal that your note and this reply shall constitute an agreement between our two Governments on this subject, which shall enter into force on the date of this note.

Accept, Excellency, the assurance of my highest consideration.

Halvard LANGE

His Excellency Mr. L. Corrin Strong  
Ambassador of the United States of America  
Etc., etc., etc.