

No. 3290

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**UNITED STATES OF AMERICA  
and  
ITALY**

**Exchange of notes constituting an agreement relating to a  
special program of facilities assistance. Rome, 24 June  
1954**

*Official texts: English and Italian.*

*Registered by the United States of America on 25 April 1956.*

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

**Échange de notes constituant un accord relatif à un  
programme spécial d'aide en moyens de production.  
Rome, 24 juin 1954**

*Textes officiels anglais et italien.*

*Enregistré par les États-Unis d'Amérique le 25 avril 1956.*

No. 3290. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND ITALY RELATING TO A SPECIAL PROGRAM OF FACILITIES ASSISTANCE. ROME, 24 JUNE 1954

I

*The American Embassy to the Italian Ministry of Foreign Affairs*

NOTE VERBALE

F. O. Note No. 1997

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to refer to recent discussions between representatives of the two Governments concerning a special program of facilities assistance by the Government of the United States to the Government of Italy to be carried out in accordance with the principles and conditions set forth in the Mutual Defense Assistance Agreement between the two Governments, dated January 27, 1950,<sup>2</sup> as supplemented by an exchange of notes dated January 7, 1952,<sup>3</sup> and such other applicable agreements as may be in force between the two Governments. The purpose of this program is to increase the capacity of Italy to produce propellants and explosives, such increased capacity being urgently needed for the mutual defense of the North Atlantic Treaty countries.

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

- (1) The Government of Italy 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 produced in facilities for which the Government of the United States has provided assistance against any North Atlantic Treaty country in terms of the price charged, the quality made available, or delivery dates.
  - (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.

<sup>1</sup> Came into force on 24 June 1954 by the exchange of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 80, p. 145.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 179, p. 165.

- (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.
- (d) In order to safeguard the security of the increased productive capacity so urgently needed for the mutual defense of the North Atlantic Treaty countries, it will take appropriate steps to prevent the employment in such additional facilities of personnel who are Communists or affiliated with Communist-dominated labor organizations.

(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 Italy undertakes that, subject to the voting by Parliament of the necessary funds, request for which will whenever necessary be made, it will maintain or cause to be maintained in usable condition a total production capacity for propellants and explosives which shall be not less than the aggregate of that now existing or already programmed for construction in Italy under public ownership and that resulting from the new facilities provided for hereunder under public ownership. The Government of Italy will, in addition, endeavor to assure that private industry will provide maintenance in usable condition of plants actually in existence or the construction of which is planned for the production of propellants and explosives.

(3) The undertaking 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 Italian 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 Italy 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, the 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 Italy, the description and purpose of the facilities to be established, and other appropriate details. Such arrangements may include provisions for the procurement of equipment to be furnished by the United States Government from the Government of Italy under the offshore procurement program, and the transfer of such equipment to the Government of Italy in accordance with the provisions of the Mutual Defense Assistance Agreement.

If these understandings meet with the approval of the Government of Italy, it is proposed that this note and the Ministry's reply shall be considered as consti-

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

Rome, June 24, 1954

## II

### *The Italian Ministry of Foreign Affairs to the American Embassy*

[ITALIAN TEXT — TEXTE ITALIEN]

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

MINISTERO DEGLI AFFARI ESTERI

MINISTRY OF FOREIGN AFFAIRS

22/00577

22/00577

#### NOTA VERBALE

#### NOTE VERBALE

Il Ministero degli Affari Esteri presenta i suoi complimenti all'Ambasciata degli Stati Uniti d'America e ha l'onore di riferirsi alla Nota Verbale dell'Ambasciata n° 1997 in data odierna, riguardante uno speciale Programma di Aiuti agli Impianti da parte del Governo degli Stati Uniti a favore del Governo italiano.

Il Ministero degli Affari Esteri ha l'onore di comunicare che il Governo italiano è d'accordo sul contenuto della Nota stessa.

Il Ministero degli Affari Esteri si avvale dell'occasione per rinnovare all'Ambasciata degli Stati Uniti d'America i sensi della sua più alta considerazione.

Roma, 24 giugno 1954

Ambasciata degli Stati Uniti  
d'America  
Roma

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to refer to the Embassy's note verbale No. 1997, dated today, regarding a special program of facilities assistance on the part of the Government of the United States in favor of the Italian Government.

The Ministry of Foreign Affairs has the honor to report that the Italian Government is in agreement with respect to the contents of the note referred to.

The Ministry of Foreign Affairs avails itself of this occasion to renew to the Embassy of the United States of America the assurances of its highest consideration.

Rome, June 24, 1954

Embassy of the United States  
of America  
Rome

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

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