

No. 5284

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**UNITED STATES OF AMERICA  
and  
SPAIN**

**Exchange of notes constituting an agreement relating to a facility for space vehicle tracking and communications on the Island of Gran Canaria. Madrid, 11 and 18 March 1960**

*Official texts: English and Spanish.*

*Registered by the United States of America on 4 August 1960.*

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

**Échange de notes constituant un accord relatif à la création, dans l'île de Grande-Canarie, d'une station pour le repérage des engins spatiaux et les communications avec ces engins. Madrid, 11 et 18 mars 1960**

*Textes officiels anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 4 août 1960.*

No. 5284. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND SPAIN RELATING TO A FACILITY FOR SPACE VEHICLE TRACKING AND COMMUNICATIONS ON THE ISLAND OF GRAN CANARIA. MADRID, 11 AND 18 MARCH 1960

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I

*The American Chargé d'Affaires ad interim to the Spanish Minister of Foreign Affairs*

No. 1097

Madrid, March 11, 1960

Excellency :

I have the honor to refer to recent discussions between our two Governments concerning a proposal that my Government be authorized by the Government of Spain to establish and operate jointly with the Government of Spain, for scientific non-military purposes, a facility for space vehicle tracking and communications on the Island of Gran Canaria. Such a facility is required by the United States as part of a world-wide tracking range being established by my Government in connection with its manned satellite program, known as Project Mercury, under which the United States plans to place a manned earth satellite into orbital flight and to recover it.

The Government of Spain, desiring to cooperate with the United States in this scientific program, and thereby to contribute to the knowledge of man's spatial environment and its effects, has indicated its agreement to the establishment of a tracking and communications facility on the Island of Gran Canaria. Accordingly, the Government of the United States proposes that this facility be established and operated in accordance with the following general principles and procedures :

1. The Government of Spain will furnish land areas and rights-of-way for use by the National Aeronautics and Space Administration, hereinafter referred to as NASA, in the establishment and operations of the facility to be located at the southern end of the Island of Gran Canaria. The specific site of the facility and quantity of land will be as agreed upon by the authorized representatives of our two Governments. On the part of the United States Government these will be representatives of NASA. On the part of the Government of Spain these will be representatives of the Instituto Nacional de Técnica Aeronáutica, hereinafter referred to as INTA.

2. The Government of the United States for its part will construct the station which is the object of this agreement. All the costs of constructing, installing, equipping and operating the facility will be borne by the Government of the United States including

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<sup>1</sup> Came into force on 18 March 1960 by the exchange of the said notes.

the cost of constructing the roads and necessary accesses. The foregoing activities will be carried out observing Spanish legislation applicable to same and in accordance with the provisions of Article 9 relating to the ownership of property.

3. The facility will consist of installations for an S-Band radar, telemetry, a ground-to-air transmitter, and a ground receiver; subject to agreement by representatives of both governments, installations for point-to-point communications to the extent that communications requirements cannot be met by local telephone and telegraph facilities; and necessary supporting buildings and structures for offices, storage, housing, sanitation, and other required purposes. Buildings will generally be of a standard prefabricated type, transportable and removable.

4. Power for the facility will be generated at the site from equipment installed as a part of the facility.

5. Upon the request of the Government of the United States and subject to the Spanish obligations under international conventions, the Government of Spain will authorize the use of radio frequencies required for the purposes of the facility. However, the high frequency channel required for ground-to-air communication with the space vehicle will be determined by the Government of the United States. All radio operations will be conducted so as not to cause interference with Spanish installations.

6. The United States contractor who will be responsible for the construction of the facility has been agreed upon by both Governments. The contractor shall employ, to the maximum extent feasible, available subcontractors and local labor to perform the required work. Optimum possible use will be made of materials and supplies available locally. The Government of Spain will, upon request, assist the contractor in the local procurement of goods, materials, supplies and services required for the construction of the facility.

7. The special electronic equipment, and related equipment, required for the facility will be United States type equipment and will be installed by United States technicians.

8. The Government of Spain will, upon request, take the necessary steps to facilitate the admission into Spain of material, equipment, supplies, goods or other items of property furnished by the Government of the United States for the purposes of the facility. Spanish authorities will be informed in advance through INTA of the contents of such shipments. No tax, duty or charge will be levied or assessed, either by the Government of Spain or by any political subdivisions thereof, on material, equipment, supplies, goods or property brought into or procured in Spain, for use in the operation of the facility on the Island of Gran Canaria.

9. Title to all materials, equipment or other items of movable property used in connection with the facility will remain in the Government of the United States. Title to all other property shall remain in the Government of Spain or other Spanish owners. Material, equipment and property of the Government of the United States at the facility may be removed free of taxes or duties by the Government of the United States at any time.

10. The facility will be operated by NASA, either directly or by contract with a United States firm. To the maximum extent feasible, qualified Spanish personnel will be

utilized in connection with the operation and maintenance of the facility, in addition to essential United States technicians and specialists assigned by NASA or its contractor. NASA and INTA will cooperate closely to ensure full access by INTA to the facility with the objective of full exchange of information concerning both the techniques employed and the uses to which the facility is being put.

11. (a) The Government of Spain will take the necessary steps to facilitate the admission to the Island of Gran Canaria of such United States personnel as may be assigned to visit or participate in the operation of the facility. The personnel so assigned shall not exceed that necessary for the construction and effective operation of the station. Their names and related information will be promptly communicated to the Government of Spain.

(b) Personal and household effects of United States personnel (including contractor personnel) assigned to Gran Canaria in connection with the operation of the facility may be brought into and removed from Spain free of all taxes and duties; such effects shall not be sold or otherwise disposed of in Spain except under conditions approved by the Government of Spain.

(c) The presence on Gran Canaria of the United States personnel (including contractor personnel) in connection with the establishment or operation of the facility will not constitute either residence or domicile and will not, of itself, subject such personnel to taxation, either on income or property. However, such personnel shall not be exempt from indirect taxes on goods or services purchased by them in Spain.

12. (a) The United States anticipates that the facility will be required for use until July 1, 1963. The Government of Spain agrees that the facility may be operated under the general principles and procedures provided herein until that date, and for such additional period as the two Governments may agree upon.

(b) Should changed conditions alter the requirement of the Government of the United States for the facility prior to July 1, 1963, the Government of the United States will have the right to terminate its use of the facility, after giving ninety days advance notice to the Government of Spain.

(c) If, upon terminating its use of the facility, the United States Government should desire to dispose of all or part of the materials, equipment or other items of property to which it holds title on the Island of Gran Canaria, the two Governments will enter into consultation as soon as possible prior to the date of termination of use in order to make the necessary arrangements. The Spanish Government will have a preferential right in the purchase of such material, equipment and other items of property.

13. Supplementary arrangements between NASA and INTA will be made from time to time as required for the carrying out of the purposes and provisions of this Agreement.

14. It is understood that to the extent the implementation of this Agreement will depend on funds appropriated by the Congress of the United States, it is subject to the availability of such funds.

If the foregoing general principles and procedures are acceptable to Your Excellency's Government, I have the honor to propose that this note and Your Excellency's note in reply to that effect shall constitute an Agreement between

our two Governments on this matter which shall enter into force on the date of your note in reply.

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

W. PARK ARMSTRONG, Jr.  
Chargé d'Affaires ad interim

His Excellency Fernando María Castiella y Maíz  
Minister of Foreign Affairs  
Madrid

## II

*The Spanish Minister of Foreign Affairs to the American Chargé d'Affaires  
ad interim*

[SPANISH TEXT — TEXTE ESPAGNOL]

MINISTERIO DE ASUNTOS EXTERIORES

Núm. 191

Madrid, 18 de marzo de 1960

Ilmo Señor :

Tengo la honra de acusar recibo a V.I. de la Nota número 1097, de 11 de los corrientes, cuyo texto traducido al español dice lo siguiente :

« Excmo Señor :

Tengo el honor de referirme a las recientes conversaciones entre nuestros dos Gobiernos relativas a la propuesta de que se autorice a mi Gobierno para establecer y utilizar para fines científicos no militares, juntamente con el Gobierno de España, una instalación para el seguimiento y comunicación con vehículos espaciales en la isla de Gran Canaria. Los Estados Unidos necesitan dicha instalación como parte de un sistema mundial de seguimiento que están estableciendo en relación con su programa de satélite tripulado conocido como Proyecto Mercury, mediante el cual los Estados Unidos proyectan colocar en órbita un satélite terrestre tripulado y recuperarlo.

El Gobierno de España, en su deseo de cooperar con los Estados Unidos en este programa científico y de contribuir con ello al conocimiento de las zonas espaciales que rodean al hombre y las propiedades de las mismas, ha autorizado el establecimiento en la isla de Gran Canaria de las instalaciones necesarias de seguimiento y comunicación. En consecuencia, los dos Gobiernos convienen en los siguientes principios generales y procedimientos.

1.— El Gobierno de España aportará, para su uso por la National Aeronautics and Space Administration (que en adelante se denominará NASA) los terrenos y los derechos de paso necesarios para el establecimiento y funcionamiento de la instala-

cuyo título de propiedad le pertenezca en la isla de Gran Canaria, los dos Gobiernos iniciarán consultas a la mayor brevedad posible con anterioridad a la fecha de terminación del uso, a fin de hacer los necesarios arreglos. El Gobierno de España tendrá un derecho de opción preferente para la adquisición del citado material, equipo y objetos.

13.— La NASA y el INTA harán arreglos suplementarios con la frecuencia que se requiera para la realización de las finalidades y disposiciones de este acuerdo.

14.— Queda entendido que en la medida en que la realización de este Acuerdo dependa de fondos asignados por el Congreso de los Estados Unidos, se encuentra sometido a la disponibilidad de dichos fondos.

Si los anteriores principios generales y procedimientos son aceptables para el Gobierno de Vuestra Excelencia, tengo la honra de proponer que esta Nota y la respuesta de V.E. al efecto constituyan un acuerdo entre nuestros dos Gobiernos sobre este asunto, que entrará en vigor el día de la fecha de la Nota de respuesta ».

Al comunicar a V.I. la conformidad del Gobierno español sobre lo que precede, le ruego, Señor Encargado de Negocios, acepte las seguridades de mi alta consideración.

Fernando CASTIELLA

Ilmo Sr. W. Park Armstrong  
Encargado de Negocios a.i. de los Estados Unidos de América  
Madrid

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

MINISTRY OF FOREIGN AFFAIRS

No. 191

Madrid, March 18, 1960

Excellency :

I have the honor to acknowledge the receipt of your note No. 1097, dated March 11, the Spanish translation of which reads as follows :

“ Excellency :

“ I have the honor to refer to recent discussions between our two Governments concerning the proposal that my Government be authorized to establish and operate jointly with the Government of Spain, for scientific non-military purposes, a facility for space vehicle tracking and communications on Grand Canary Island. Such a facility is required by the United States as part of a worldwide tracking range being established in connection

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

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

with its manned satellite program, known as Project Mercury, under which the United States plans to place a manned earth satellite into orbital flight and to recover it.

“ The Government of Spain, desiring to cooperate with the United States in this scientific program, and thereby to contribute to the knowledge of man’s spatial environment and its properties, has authorized the establishment of a tracking and communications facility on the Island of Grand Canary. Accordingly, the two Governments agree on the following general principles and procedures :

[*See note I*]

On informing you of the Spanish Government’s acceptance of the foregoing, I request, Sir, that you accept the assurances of my high consideration.

Fernando CASTIELLA

His Excellency W. Park Armstrong  
Chargé d’Affaires ad interim of the United States of America  
Madrid