

No. 5772

**UNITED STATES OF AMERICA
and
ISRAEL**

Exchange of notes constituting an agreement relating to a grant for nuclear research and training equipment and materials. Tel Aviv, 19 October 1960, and Jerusalem, 19 December 1960

Official text: English.

Registered by the United States of America on 28 July 1961.

**ÉTATS-UNIS D'AMÉRIQUE
et
ISRAËL**

Échange de notes constituant un accord relatif à l'octroi d'un don en vue de l'acquisition de matériel et de matières pour la recherche et la formation nucléaires. Tel-Aviv, 19 octobre 1960, et Jérusalem, 19 décembre 1960

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 28 juillet 1961.

No. 5772. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND ISRAEL RELATING TO A GRANT FOR NUCLEAR RESEARCH AND TRAINING EQUIPMENT AND MATERIALS. TEL AVIV, 19 OCTOBER 1960, AND JERUSALEM, 19 DECEMBER 1960

I

The American Ambassador to the Israeli Acting Minister for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

No. 32

Tel Aviv, October 19, 1960

Excellency :

I have the honor to refer to recent conversations between representatives of our two Governments concerning a grant to the Government of Israel by the Government of the United States to assist in the acquisition of certain nuclear research and training equipment and materials, and to inform Your Excellency's Government that approval of this grant has now been given.

I further have the honor to propose the following understandings on the basis of which funds are to be furnished :

1. Funds granted by the Government of the United States in accordance with this note shall be available only to purchase such equipment and materials, or their equivalents, in such amounts, and not in excess of such prices as may be established by the United States Atomic Energy Commission. Any difference between the amounts and prices established by the United States Atomic Energy Commission and the actual amounts and costs may not be applied by the Government of Israel toward purchase of other items or for any other purpose.

2. The Government of Israel, or its designated agent, shall procure, or arrange for procurement of, all equipment and materials to be financed by the grant referred to above and shall meet, from resources other than the granted funds, the costs of transporting, insuring while in transit, installing, and operating the equipment and materials.

¹ Came into force on 19 December 1960 by the exchange of the said notes.

3. The Government of Israel, or its designated agent, shall insure that 50 percent of the gross tonnage of equipment and materials financed by the grant referred to above which may be transported on ocean vessels shall be transported on United States-flag vessels, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels.

4. The equipment and materials procured as provided herein shall be used for peaceful purposes only.

5. The manner and procedures for payment by the Government of the United States for equipment and materials procured as provided in this note shall be established by the United States Atomic Energy Commission and notified to the Government of Israel.

6. Copies of technical publications deriving from use of equipment and materials procured as provided herein will be provided currently to the Government of the United States, and an appropriate plaque acknowledging the assistance of the Government of the United States will be permanently displayed in the laboratory in which such equipment and materials are located.

7. The Government of Israel shall indemnify and save harmless the Government of the United States against any and all liabilities from any cause whatsoever, including liability to third parties, which may result from the operation or use of any equipment and materials procured as provided therein.

If these understandings are acceptable to Your Excellency's Government, this note and Your Excellency's reply concurring therein shall constitute an Agreement between our two Governments, which shall enter into force on the date of Your Excellency's reply.

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

Ogden R. REID

His Excellency David Ben Gurion
Acting Minister for Foreign Affairs
of the State of Israel

II

The Israeli Minister for Foreign Affairs to the American Ambassador

MINISTER FOR FOREIGN AFFAIRS

Your Excellency :

I have the honor to acknowledge receipt of Your Excellency's Note No. 32 of October 19, 1960, reading as follows :

[See note I]

I have further the honor to inform Your Excellency that the above-mentioned Note, with the clarification thereof contained in the Memorandum of Conversation of December 7, 1960,¹ are acceptable to the Government of Israel which considers Your Excellency's Note and this reply to constitute an Agreement between our two Governments.

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

Golda MEIR

Jerusalem, December 19, 1960

His Excellency Mr. Ogden R. Reid
Ambassador of the United States of America
in Israel

¹ Not printed by the Department of State of the United States of America.