

No. 12222

**UNITED STATES OF AMERICA
and
DOMINICAN REPUBLIC**

Exchange of notes constituting an agreement regarding deposits for military assistance under the Foreign Assistance Act of 1971. Santo Domingo, 23 March and 17 April 1972

Authentic texts : English and Spanish.

Registered by the United States of America on 29 December 1972.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DOMINICAINE**

Échange de notes constituant un accord relatif aux dépôts effectués au titre de l'assistance militaire en vertu de la loi de 1971 sur l'aide à l'étranger. Saint-Domingue, 23 mars et 17 avril 1972

Textes authentiques : anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 29 décembre 1972.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND THE
DOMINICAN REPUBLIC REGARDING DEPOSITS FOR MILI-
TARY ASSISTANCE UNDER THE FOREIGN ASSISTANCE
ACT OF 1971

No. 24

I

The Embassy of the United States of America presents its compliments to the Secretariat of Foreign Affairs of the Government of the Dominican Republic and has the honor to refer to recent discussions regarding the United States Foreign Assistance Act of 1971 which includes a provision requiring payment to the United States Government in pesos of ten percent of the value of Grant Military Assistance and Excess Defense Articles provided by the United States to the Government of the Dominican Republic.

In accordance with that provision, it is proposed that the Government of the Dominican Republic will deposit in an account to be specified by the United States Government, at a rate of exchange which is not less favorable to the United States Government than the best legal rate at which U.S. dollars are sold by authorized dealers in the country of the Dominican Republic for pesos on the date deposits are made, the following amounts in pesos: (A) in the cases of any Excess Defense Article given to the Government of the Dominican Republic, an amount equal to ten percent of the fair value of that Article, as determined by the United States Government, and (B) in the case of a Grant of military Assistance to the Government of the Dominican Republic, an amount equal to ten percent of each such Grant. The Government of the Dominican Republic will be notified quarterly of deliveries of Defense Articles and rendering of Defense Services and the values thereof. Deposits to the account of the United States Government will be due and payable upon request by the United States Government, which request shall be made, if at all, within one year following the aforesaid notification of deliveries. No more than \$20 million in pesos will be required to be deposited for deliveries in any one United States fiscal year.

It is further proposed that the amounts to be deposited may be used to pay all official costs of the United States Government payable in pesos, including but not limited to all costs relating to the financing of international educational and cultural exchange activities under programs authorized by the United States Mutual Education and Cultural Exchange Act of 1961.

It is finally proposed that the Secretariat's reply stating that the foregoing is acceptable to the Government of the Dominican Republic shall, together with this note, constitute an agreement between our Governments on this subject effective from and after February 7, 1972 and applicable to deliveries of Defense Articles and rendering of Defense Services funded or agreed to and delivered or rendered on or subsequent to that date.

¹ Came into force on 17 April 1972 by the exchange of the said notes, with retroactive effect from 7 February 1972, in accordance with their provisions.

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

Santo Domingo, March 23, 1972.

Embassy of the United States of America

II

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION¹ — TRADUCTION²]

REPÚBLICA DOMINICANA
SECRETARÍA DE ESTADO
DE RELACIONES EXTERIORES

DOMINICAN REPUBLIC
DEPARTMENT OF STATE
FOR FOREIGN AFFAIRS

DSSE-9373

DSSE-9373

La Secretaria de Estado de Relaciones Exteriores saluda muy atentamente a la Embajada de los Estados Unidos de América en ocasión de contestar la Nota No. 24 de fecha 23 de marzo de 1972, mediante la cual hace la Embajada referencia a la Ley de 1971 de los Estados Unidos sobre Ayuda al Exterior, y que incluye una disposición requiriendo el pago al Gobierno de los Estados Unidos en pesos dominicanos del diez por ciento del valor de Asistencia Militar y Artículos Excedentes de Defensa proporcionados por los Estados Unidos al Gobierno de la República Dominicana.

Propone la Embajada de conformidad con dicha disposición que el Gobierno de la República Dominicana deposite en una cuenta que especificará el Gobierno de los Estados Unidos, a un tipo de cambio que no sea menos favorable para el Gobierno de los Estados Unidos que el mejor tipo legal de cambio al cual se venden dólares de los Estados Unidos por agentes de cambio autorizados en la República Dominicana por pesos dominicanos en la fecha en que se efectúan los depósitos, los montos siguientes en pesos dominicanos: a) en el caso de

The Department of State for Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to reply to note No. 24 dated March 23, 1972, in which the Embassy refers to the United States Foreign Assistance Act of 1971, which includes a provision requiring payment to the United States Government in Dominican pesos of ten percent of the value of Military Assistance and Excess Defense Articles provided by the United States to the Government of the Dominican Republic.

In accordance with that provision, the Embassy proposes that the Government of the Dominican Republic deposit in an account to be specified by the United States Government, at a rate of exchange which is not less favorable to the United States Government than the best legal rate at which U.S. dollars are sold by authorized dealers in the Dominican Republic for Dominican pesos on the date deposits are made, the following amounts in Dominican pesos: (A) in the case of any Excess Defense Article given to the Government of the Dominican

¹ Translation supplied by the Government of the United States of America.

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.

cualquier Artículo Excedente de Defensa entregado al Gobierno de la República Dominicana, una cantidad igual al diez por ciento del valor justo de tal Artículo, según lo determine el Gobierno de los Estados Unidos, y *b*) en el caso de una Subvención de Asistencia Militar al Gobierno de la República Dominicana, una cantidad igual al diez por ciento de cada una de tales Subvenciones. El Gobierno de la República Dominicana recibirá una notificación trimestralmente sobre las entregas de Artículos de Defensa y la prestación de Servicios de Defensa, así como el valor de los mismos. Los depósitos en la cuenta del Gobierno de los Estados Unidos serán pagaderos a petición del Gobierno de los Estados Unidos. Dicha petición se hará, de hacerse, dentro del plazo de un año después de la anteriormente señalada notificación de las entregas. No se requerirá depositar más de 20 millones de dólares en pesos dominicanos para las entregas que se realicen durante un año fiscal cualquiera de los Estados Unidos.

Propone, además, que los montos que hayan de depositarse podrán utilizarse para pagar todos los costos oficiales del Gobierno de los Estados Unidos pagaderos en pesos dominicanos, incluyendo, pero sin limitarse a ellos, todos los costos relacionados con el financiamiento de actividades internacionales educacionales y de intercambio cultural, según programas autorizados por la Ley de 1961 de los Estados Unidos sobre Intercambio Mutuo Educativo y Cultural.

La Secretaría de Estado de Relaciones Exteriores se complace en informar a la Embajada de los Estados Unidos que el Gobierno de la República Dominicana acepta las proposiciones arriba señaladas y que al efecto esta Nota y la Nota No. 24 constituyan un Acuerdo sobre la materia entre los dos Gobiernos que

Republic, an amount equal to ten percent of the fair value of that Article, as determined by the United States Government, and (B) in the case of a Grant of Military Assistance to the Government of the Dominican Republic, an amount equal to ten percent of each such grant. The Government of the Dominican Republic will be notified quarterly of deliveries of Defense Articles and rendering of Defense Services and the value thereof. Deposits to the account of the United States Government will be payable upon request by the United States Government. Such request will be made, if at all, within one year following the aforesaid notification of deliveries. No more than \$ 20 million in Dominican pesos will be required to be deposited for deliveries in any one United States fiscal year.

The Embassy further proposes that the amounts to be deposited may be used to pay all official costs of the United States Government payable in Dominican pesos, including but not limited to all costs relating to the financing of international educational and cultural exchange activities under programs authorized by the United States Mutual Education and Cultural Exchange Act of 1961.

The Department of State for Foreign Affairs is happy to inform the Embassy of the United States that the Government of the Dominican Republic accepts the foregoing proposals, and, consequently, this note and note No. 24 shall constitute an agreement between our two Governments on this subject which shall be

entrará en vigor el día 7 de febrero de 1972, y a partir de esa fecha, y será aplicable a entregas de Artículos de Defensa y prestación de Servicios de Defensa financiados o acordados y entregados o prestados en o después de esa fecha.

La Secretaría de Estado de Relaciones Exteriores aprovecha la oportunidad para renovar a la Embajada de los Estados Unidos de América las seguridades de su más alta consideración.

Santo Domingo, R. D.
17 Abr. 1972.

effective from and after February 7, 1972, and shall be applicable to deliveries of Defense Articles and rendering of Defense Services funded or agreed to and delivered or rendered on or subsequent to that date.

The Department of State for Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurance of its highest consideration.

Santo Domingo, Dominican Republic
April 17, 1972.