

No. 13635

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**UNITED STATES OF AMERICA  
and  
NICARAGUA**

**Exchange of notes constituting an agreement relating to  
military assistance: payments under Foreign Assistance  
Act of 1973. Managua, 15 May and 28 June 1974**

*Authentic texts: English and Spanish.*

*Registered by the United States of America on 4 November 1974.*

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

**Échange de notes constituant un accord relatif à l'assis-  
tance militaire : paiements en vertu du *Foreign Assis-  
tance Act of 1973* (loi de 1973 sur l'aide à l'étranger).  
Managua, 15 mai et 28 juin 1974**

*Textes authentiques : anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 4 novembre 1974.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND NICARAGUA RELATING TO MILITARY ASSISTANCE: PAYMENTS UNDER FOREIGN ASSISTANCE ACT OF 1973

I

No. 25

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of Nicaragua and has the honor to refer to recent discussions between representatives of the two Governments regarding a new provision of United States law which prohibits the United States Government from furnishing defense articles on a grant basis to the Government of Nicaragua or any other government, unless the Government of Nicaragua shall have agreed to pay to the United States Government the net proceeds of sale received by the Government of Nicaragua in disposing of defense articles so furnished.

In accordance with the new statutory provision, it is proposed that the Government of Nicaragua agree that the net proceeds of sale received by the Government of Nicaragua in disposing of any weapon, weapons system, munition, aircraft, military boat, military vessel, or other defense article, including scrap from any such defense articles, received heretofore or hereafter under the Military Assistance Program of the United States Government will be paid to the United States Government and shall be available to pay all official costs of the United States Government payable in the currency of the Government of Nicaragua, including all costs relating to the financing of international educational and cultural exchange activities in which the Government of Nicaragua participates.

It is understood that this Agreement does not affect any prior agreement by the Government of Nicaragua to return to the United States Government any defense articles furnished by the United States Government on a grant basis when such articles are no longer needed for the purposes for which they were furnished, without the consent of the United States Government to another disposition.

It is further proposed that the Ministry's reply stating that the foregoing is acceptable to the Government of Nicaragua shall, together with this note, constitute an agreement between our Governments on this subject, to be effective from and after July 1, 1974.

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

Managua, D.N. May 15, 1974.

Embassy of the United States of America

<sup>1</sup> Came into force on 1 July 1974, in accordance with the provisions of the said notes.

## II

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]*The Nicaraguan Ministry of Foreign  
Affairs to the American Embassy*

MINISTERIO  
DE  
RELACIONES EXTERIORES

SECRETARÍA GENERAL  
Sección Diplomática

Managua, D.N., 28 de Junio de 1974

Ms.No.040

El Ministerio de Relaciones Exteriores saluda muy atentamente a la Honorable Embajada de los Estados Unidos de América y tiene el honor de avisar recibo de la Nota Verbal No. 25 del 15 de Mayo de 1974, en la que se refiere a las recientes conversaciones celebradas entre Representantes de los dos Gobiernos acerca de una nueva disposición de la ley de los Estados Unidos que prohíbe al Gobierno de dicho país suministrar artículos de defensa sobre una base de subvención al Gobierno de Nicaragua o a cualquier otro Gobierno, a menos que el Gobierno de Nicaragua hubiere acordado pagar al Gobierno de los Estados Unidos las utilidades netas de venta percibidas por el Gobierno de Nicaragua al enajenar los artículos de defensa así suministrados.

Se agrega en la mencionada nota que, conforme a la nueva disposición de la ley, se propone que el Gobierno de Nicaragua acuerde que las utilidades netas de venta percibidas por el Gobierno de Nicaragua al enajenar cualquier arma, sistemas de armas, pertrechos, aviones, embarcaciones militares, navíos militares u otros artículos de defensa, incluyendo la chatarra prove-

MINISTRY  
OF FOREIGN AFFAIRS

GENERAL SECRETARIAT  
Diplomatic Section

Managua, D.N. June 28, 1974

Ms.No.040

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States and has the honor to acknowledge receipt of note verbale No. 25 of May 15, 1974, which refers to the recent discussions between representatives of the two Governments regarding a new provision of United States law which prohibits the United States Government from furnishing defense articles on a grant basis to the Government of Nicaragua or any other government, unless the Government of Nicaragua shall have agreed to pay to the United States Government the net proceeds of sale received by the Government of Nicaragua in disposing of defense articles so furnished.

The aforementioned note further states that, in accordance with the new statutory provision, it is proposed that the Government of Nicaragua agree that the net proceeds of sale received by the Government of Nicaragua in disposing of any weapon, weapons system, munition, aircraft, military boat, military vessel, or other defense articles, including scrap from any such

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

<sup>2</sup> Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.

niente de cualesquiera de tales artículos de defensa, recibidos hasta la fecha o de aquí en adelante conforme al Programa de Asistencia Militar del Gobierno de los Estados Unidos estará dispuesto a pagar todos los gastos oficiales del Gobierno de los Estados Unidos que sean pagaderos en la moneda del Gobierno de Nicaragua, incluyendo todos los costos relacionados con la financiación de actividades internacionales de educación y de intercambio cultural en las que participe el Gobierno de Nicaragua.

Además, se tiene entendido que este Acuerdo no afecta a ningún Acuerdo previo suscrito por el Gobierno de Nicaragua para devolver al Gobierno de los Estados Unidos cualesquiera artículos de defensa suministrados por el Gobierno de ese país sobre la base de subvención cuando dichos artículos ya no sean necesarios para los fines que se suministraron, sin el consentimiento del Gobierno de los Estados Unidos en cuanto a otra disposición de los mismos.

Finalmente se propone que la contestación del Ministerio indicando que lo anterior es aceptable para el Gobierno de Nicaragua, junto con la nota recibida, constituya un Acuerdo entre los dos Gobiernos que entrará en vigor a partir del 1 de Julio de 1974.

En respuesta, el Ministerio de Relaciones Exteriores comunica a la Honorable Embajada de los Estados Unidos de América que el Gobierno de Nicaragua acepta la propuesta hecha en los términos estipulados. Como se sugiere, la nota de la Honorable Embajada y la presente contestación, constituyen un Acuerdo entre los dos Gobiernos.

El Ministerio de Relaciones Exteriores aprovecha la oportunidad para reiterar a la Honorable Embajada de

defense articles, received heretofore or hereafter under the Military Assistance Program of the United States Government will be paid to the United States Government and shall be available to pay all official costs of the United States Government payable in the currency of the Government of Nicaragua, including all costs relating to the financing of international educational and cultural exchange activities in which the Government of Nicaragua participates.

Moreover, it is understood that this agreement does not affect any prior agreement by the Government of Nicaragua to return to the United States Government any defense articles furnished by the United States Government on a grant basis when such articles are no longer needed for the purposes for which they were furnished, without the consent of the United States to another disposition.

Lastly, it is proposed that the Ministry's reply stating that the foregoing is acceptable to the Government of Nicaragua shall, together with the above-mentioned note, constitute an agreement between the two Governments to be effective from and after July 1, 1974.

In reply, the Ministry of Foreign Affairs informs the Embassy of the United States that the Government of Nicaragua accepts the proposal in the terms stipulated. As suggested, the note from the Embassy and this reply shall constitute an agreement between the two Governments.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States the

los Estados Unidos de América las seguridades de su más alta y distinguida consideración.

Managua, D.N.,  
28 de Junio de 1974.

A la Honorable Embajada  
de los Estados Unidos de América  
Managua, D.N.

assurances of its highest and most distinguished consideration.

Managua, D.N.,  
June 28, 1974.

Embassy  
of the United States of America  
Managua, D.N.

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