

No. 13791

**UNITED STATES OF AMERICA
and
MEXICO**

Exchange of letters constituting an agreement concerning the provision of four helicopters and related assistance by the United States to help Mexico in curbing traffic in illegal narcotics. Mexico City, 3 December 1973

Exchange of letters constituting an agreement amending the above-mentioned Agreement. Mexico City, 21 December 1973

Exchange of letters constituting an agreement amending the above-mentioned Agreement of 3 December 1973, as amended. Mexico City, 24 June 1974

Authentic texts: English and Spanish.

Registered by the United States of America on 17 March 1975.

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND MEXICO CONCERNING THE PROVISION OF FOUR HELICOPTERS AND RELATED ASSISTANCE BY THE UNITED STATES TO HELP MEXICO IN CURBING TRAFFIC IN ILLEGAL NARCOTICS

I

The American Ambassador to the Mexican Attorney General

Mexico, D.F., December 3, 1973

Dear Mr. Attorney General:

In confirmation of the recent conversations between officials of our two Governments relating to the cooperation between Mexico and the United States to curb the traffic of illegal narcotics, I am pleased to advise you that the Government of the United States is willing to assist materially the Government of Mexico in the increased efforts it makes to curb such traffic.

The material assistance in question will consist of four (4) Bell 212 helicopters at a unit cost of nine hundred thousand dollars (\$900,000.00), including an appropriate package of spare parts. The Government of the United States will also provide a training program for sixteen Mexican helicopter pilots and eight Mexican mechanics at the Bell Corporation facility at Fort Worth, Texas. The Government of Mexico shall take title to each helicopter at such time as that helicopter is first used for in-flight training of a Mexican pilot.

The total cost to the Government of the United States for this assistance shall not exceed three million six hundred forty-four thousand dollars (\$3,644,000.00). The Government of the United States will be pleased to consider future requests from the Government of Mexico for assistance in financing the costs of fuel and spare parts consumed by the helicopters in the Government of Mexico's poppy eradication efforts.

It is understood that the helicopters are to be used by the office of the Attorney General of Mexico to interdict the flow of illicit narcotics through Mexico and to locate and eradicate opium poppy, marijuana and other plants from which narcotic substances are derived. It is further understood that the use of this equipment shall be restricted to these purposes, except that nothing in this agreement shall preclude its use in times of natural disaster to prevent loss of life or otherwise engage in humanitarian undertakings.

The Government of Mexico agrees that, at the request of the Embassy of the United States, the office of the Attorney General shall provide to the personnel of the United States Government access to the equipment for the purpose of verifying its usage and condition of service. It is also understood that through the Embassy of the United States in Mexico personnel of the United States Government and the office of the Attorney General of Mexico shall exchange semi-annually, and at other times mutually agreed upon, information in writing on the specific efforts undertaken in relation to the purposes and objectives of this agreement.

¹ Came into force on 3 December 1973 by the exchange of the said letters.

If the foregoing is acceptable to the Government of Mexico, this letter and your reply shall constitute an agreement between our two Governments.

Sincerely,

[Signed]
ROBERT H. MCBRIDE
Ambassador

The Honorable Lic. Pedro Ojeda Paullada
Attorney General of the Republic
Mexico, D.F., Mexico

II

[SPANISH TEXT — TEXTE ESPAGNOL]

LIC. PEDRO OJEDA PAULLADA
PROCURADOR GENERAL DE LA REPÚBLICA

México, D.F., 3 de Diciembre de 1973

Estimado Señor Embajador:

Me complace en dar respuesta a su atenta carta de esta fecha cuyo texto vertido al Español es el siguiente:

«En confirmación de conversaciones recientemente celebradas entre funcionarios de nuestros dos Gobiernos respecto de la mutua cooperación entre México y los Estados Unidos de América para combatir el tráfico ilícito de estupefacientes, me complace en informarle que el Gobierno de los Estados Unidos está dispuesto a proporcionar asistencia material al Gobierno de México, en los esfuerzos cada día mayores que realiza para combatir dicho tráfico.

«La asistencia material a que me refiero consistirá en cuatro helicópteros Bell 212, cuyo costo es de 900,000 dólares por unidad, incluyendo una provisión adecuada de refacciones. El Gobierno de los Estados Unidos proporcionará también un programa de entrenamiento para 16 pilotos mexicanos de helicópteros y 8 mecánicos mexicanos, en las instalaciones de la Bell Corporation en Fort Worth, Texas.

«El título de propiedad de cada helicóptero pasará al Gobierno de México en el momento en que cada uno de los helicópteros sea usado por primera vez para el entrenamiento en vuelo de un piloto mexicano.

«El costo total de esta asistencia no excederá para el Gobierno de los Estados Unidos de la cantidad de 3,644,000 dólares. El Gobierno de los Estados Unidos examinará con agrado solicitudes de asistencia que el Gobierno de México formule en el futuro para financiar el costo del combustible y de las refacciones que consuman los helicópteros en el curso de los esfuerzos realizados por el Gobierno de México para destruir la amapola productora de opio y la mariguana.

[TRANSLATION¹ — TRADUCTION²]

The Mexican Attorney General to the American Ambassador

PEDRO OJEDA PAULLADA
ATTORNEY GENERAL OF THE REPUBLIC

Mexico, D.F., December 3, 1973

Mr. Ambassador:

I am pleased to reply to your letter of this date, whose text in Spanish is as follows:

[*See letter I*]

In reply, I am pleased to inform Your Excellency, on behalf of the Government of Mexico, that I am in agreement with the text of the above-transcribed note, which therefore constitutes, together with this reply, an agreement between our two Governments.

Cordially yours,

PEDRO OJEDA PAULLADA

Mr. Robert Henry McBride
Ambassador Extraordinary and Plenipotentiary of the United States of America
Mexico, D.F.

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

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

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND MEXICO AMENDING THE AGREEMENT OF 3 DECEMBER 1973² CONCERNING THE PROVISION OF FOUR HELICOPTERS AND RELATED ASSISTANCE BY THE UNITED STATES TO HELP MEXICO IN CURBING TRAFFIC IN ILLEGAL NARCOTICS

I

The American Ambassador to the Mexican Attorney General

Mexico, D.F., December 21, 1973

Dear Mr. Attorney General:

I refer to our exchange of letters of December 3, 1973², which effected an agreement for the United States Government to provide four helicopters and relevant training to the Government of Mexico.

Because of unforeseen cost increases, my Government would now like to increase the total cost ceiling from three million six hundred forty-four thousand dollars (\$3,644,000.00) to three million eight hundred thousand dollars (\$3,800,000.00).

Your letter of agreement to this increase will constitute the appropriate amendment to the original agreement.

Sincerely,

[Signed]
ROBERT H. MCBRIDE
Ambassador

His Excellency Licenciado Pedro Ojeda Paullada
Attorney General of the Republic
Mexico D.F., Mexico

II

[SPANISH TEXT — TEXTE ESPAGNOL]

LIC. PEDRO OJEDA PAULLADA
PROCURADOR GENERAL DE LA REPÚBLICA

México, D.F., 21 de diciembre de 1973

Estimado Señor Embajador:

Recibí su atenta carta de esta fecha, cuyo texto vertido al Español es el siguiente:

¹ Came into force on 21 December 1973 by the exchange of the said letters.

² See p. 222 of this volume.

«Hago referencia al intercambio de cartas del tres de diciembre de mil novecientos setenta y tres, que efectuó un acuerdo para que el Gobierno de los Estados Unidos de América proporcionara cuatro helicópteros y la capacitación pertinente a personal del Gobierno de México.

«Debido a aumentos imprevistos en los costos, mi Gobierno desearía aumentar el costo máximo total de 3.644.000.00, tres millones seiscientos cuarenta y cuatro mil dólares a 3.800.000.00, tres millones ochocientos mil dólares.

«Su carta de conformidad a este aumento constituirá la reforma apropiada al acuerdo original.»

En respuesta, me complace en expresar a usted, en nombre del Gobierno de México, mi conformidad con el texto de la nota anteriormente transcrita, la cual constituye junto con la presente, una reforma al acuerdo original de tres de diciembre de mil novecientos setenta y tres.

Cordialmente

[Signed — Signé]

Lic. PEDRO OJEDA PAULLADA

Excelentísimo Señor Robert Henry McBride
Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América
México, D.F.

[TRANSLATION¹ — TRADUCTION²]

The Mexican Attorney General to the American Ambassador

PEDRO OJEDA PAULLADA
ATTORNEY GENERAL OF THE REPUBLIC

Mexico, D.F., December 21, 1973

Dear Mr. Ambassador:

I received your letter of this date, whose text in Spanish reads as follows:

[See letter I]

In reply, I am pleased to inform you, on behalf of the Government of Mexico, of my agreement with the text of the above-transcribed note, which, together with this reply, constitutes an amendment to the original agreement of December 3, 1973.

Cordially yours,

[Signed]

PEDRO OJEDA PAULLADA

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

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

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND MEXICO AMENDING THE AGREEMENT OF 3 DECEMBER 1973,² AS AMENDED,³ CONCERNING THE PROVISION OF FOUR HELICOPTERS AND RELATED ASSISTANCE BY THE UNITED STATES TO HELP MEXICO IN CURBING TRAFFIC IN ILLEGAL NARCOTICS

I

The American Ambassador to the Mexican Attorney General

Mexico, D.F., June 24, 1974

Dear Mr. Attorney General:

I refer to the exchange of letters of December 3, 1973,² between you and former United States Ambassador to Mexico Robert H. McBride which effected an agreement for the United States Government to provide four helicopters, spare parts, and relevant training to the Government of Mexico, and to consider future requests from the Government of Mexico for assistance in financing the costs of fuel expended by the helicopters.

My Government is prepared to agree to reimburse the Government of Mexico for the cost of reasonable expenditures of fuel by all Government of Mexico aircraft, both fixed and rotary wing, (exclusive of that consumed by the Bell 206 aircraft granted by the agreement of February 1, 1974),⁴ which were used directly in support of the January—May 1974 narcotics eradication campaign. The cost to the United States Government of such assistance will not exceed \$110,000 dollars.

The Government of the United States also agrees to provide the Government of Mexico with the services, for a period of one year, of two technical consultants to assist the Government of Mexico in the proper maintenance and operation of rotary wing aircraft used by the Government of Mexico in its narcotics enforcement efforts. The cost to the United States Government of this assistance shall not exceed \$90,000 dollars. The Government of Mexico agrees to provide appropriate documentation to these consultants in order that they may carry out the objectives of this agreement.

As previously agreed, the total cost to the United States Government shall not exceed three million eight hundred thousand dollars (\$3,800,000); the additional costs to the United States Government provided for in this letter of amendment are being financed by funds obligated by this agreement but which were not totally utilized for procurement of other items under this agreement.

Your letter of agreement to these changes will constitute the appropriate amendment to the original agreement.

¹ Came into force on 24 June 1974 by the exchange of the said letters.

² See p. 222 of this volume.

³ See p. 226 of this volume.

⁴ See p. 237 of this volume.

I take this opportunity, dear Mr. Attorney General, to reiterate to you the assurances of my highest and most distinguished consideration.

[Signed]
JOSEPH JOHN JOVA
Ambassador

His Excellency Lic. Pedro Ojeda Paullada
Attorney General of the Republic
Mexico D.F.

II

[SPANISH TEXT — TEXTE ESPAGNOL]

LIC. PEDRO OJEDA PAULLADA
PROCURADOR GENERAL DE LA REPÚBLICA

Mexico, D.F., a 24 de junio de 1974

Muy estimado Señor Embajador:

He tenido el agrado de recibir su atenta carta cuyos términos son los siguientes:

«Me permito hacer referencia al intercambio de cartas del día 3 de diciembre de 1973, entre usted y el antiguo Embajador de los Estados Unidos en México, señor Robert H. McBride, que constituyó un acuerdo para que el Gobierno de los Estados Unidos proporcionará cuatro helicópteros, refacciones, y entrenamiento correspondiente al Gobierno de México y para considerar futuras solicitudes de parte del Gobierno de México por ayuda en el financiamiento de los costos del combustible gastado por los helicópteros.

«Mi Gobierno está preparado para consentir en reembolsar al Gobierno de México por el costo de gastos razonables de combustible utilizado por todos los aviones del Gobierno de México, tanto fijos como los de alas giratorias (excluyendo el que sea gastado por los aviones Bell 206 proporcionado mediante el acuerdo del 10. de febrero de 1974), que fueron usados directamente en apoyo de la campaña de enero—mayo, 1974, para la erradicación de estupefacientes. El costo para el Gobierno de los Estados Unidos de tal asistencia no excederá de dólares \$110.000.

«Como fué acordado con anterioridad, el costo total al Gobierno de los Estados Unidos no excederá de tres millones ochocientos mil dólares (3.800.000.00); los costos adicionales para el Gobierno de los Estados Unidos estipulados en esta carta de enmienda están siendo financiados mediante fondos comprometidos por este acuerdo pero que no fueron utilizados en su totalidad para la adquisición de otros artículos bajo dicho acuerdo.

«La carta conteniendo su conformidad con estos cambios constituirá una enmienda apropiada al acuerdo original».

Deseo expresar a usted que el Gobierno de México está de acuerdo con los términos de la mencionada carta.

Reciba usted señor Embajador las seguridades de mi más atenta y distinguida consideración.

[Signed — Signé]
Lic. PEDRO OJEDA PAULLADA

Excelentísimo Señor Joseph John Jova
Embajador de los Estados Unidos de América
Ciudad

[TRANSLATION¹ — TRADUCTION²]

The Mexican Attorney General to the American Ambassador

PEDRO OJEDA PAULLADA
ATTORNEY GENERAL OF THE REPUBLIC

Mexico, D.F., June 24, 1974

Mr. Ambassador:

I have had the honor of receiving your letter, which reads as follows:

[See letter I]

I wish to inform you that the Government of Mexico is in agreement with the terms of the above-transcribed letter.

Accept, Mr. Ambassador, the assurances of my most attentive and distinguished consideration.

[Signed]
PEDRO OJEDA PAULLADA

His Excellency Joseph John Jova
Ambassador of the United States of America
Mexico, D.F.

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

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