

No. 6904

**UNITED STATES OF AMERICA
and
BRAZIL**

Exchange of notes constituting an agreement relating to radiobiological equipment for use by the Institute of Biophysics of the University of Brazil (with Memorandum dated 28 January 1963). Rio de Janeiro, 10 October 1962 and 29 March 1963

Official texts : English and Portuguese.

Registered by the United States of America on 12 September 1963.

**ÉTATS-UNIS D'AMÉRIQUE
et
BRÉSIL**

Échange de notes constituant un accord relatif à du matériel de radiobiologie destiné à l'Institut de biophysique de l'Université du Brésil (avec Mémoire en date du 28 janvier 1963). Rio de Janeiro, 10 octobre 1962 et 29 mars 1963

Textes officiels anglais et portugais.

Enregistré par les États-Unis d'Amérique le 12 septembre 1963.

No. 6904. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND BRAZIL RELATING TO RADIOBIOLOGICAL EQUIPMENT FOR USE BY THE INSTITUTE OF BIOPHYSICS OF THE UNIVERSITY OF BRAZIL. RIO DE JANEIRO, 10 OCTOBER 1962 AND 29 MARCH 1963

I

The American Ambassador to the Brazilian Minister of Foreign Affairs

Rio de Janeiro, October 10, 1962

No. 286

Excellency :

I have the honor to refer to a request from the Instituto de Biofísica da Universidade do Brasil that the Government of the United States of America assist the Institute of Biophysics of the University of Brazil in obtaining equipment for use in developing the Institute's radiobiological and research program. Approval of a grant for this purpose has now been given.

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

1. The equipment and materials to be acquired in accordance with this note shall be used for peaceful purposes only.

2. The Brazilian Government shall procure, or arrange for procurement of, all equipment and materials to be financed hereunder, and shall meet the costs of transportation, insurance while in transit, installation, and operation of this equipment and material.

3. The Brazilian Government shall insure that 50 percent of the gross tonnage of equipment and materials financed hereunder 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. Funds granted by the Government of the United States shall be available only to purchase such equipment and materials, or their equivalents, and in amounts not in excess of such prices, as may be established by the United States Atomic Energy Commission. Any difference between the amount established by the Commission and the actual cost may not be applied toward purchase of other items.

¹ Came into force on 29 March 1963 by the exchange of the said notes.

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

6. Copies of technical publications deriving from use of equipment and materials financed hereunder 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 the equipment and materials financed hereunder are located.

7. The Brazilian Government shall indemnify and save harmless the Government of the United States against any and all liabilities from any cause whatsoever, including third party liability, which may result from the operation or use of any equipment and materials furnished hereunder.

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.

Lincoln GORDON

His Excellency Hermes Lima
Minister of Foreign Affairs
Rio de Janeiro

The American Embassy to the Brazilian Ministry of Foreign Affairs

MEMORANDUM

The Embassy of the United States of America informs the Ministry of Foreign Affairs of Brazil, with reference to Paragraph 5 of the Embassy's Note No. 286, dated October 10, 1962, that requests for payment by the Government of Brazil may be made when items are received by Brazil or its agent from the manufacturer or supplier. In order to eliminate excessive administrative detail, it is hoped that requests for payment will be made in aggregate amounts of not less than \$5,000. Should this procedure create difficulties for the Government of Brazil, consideration will be given to making payments in smaller amounts. The request for payment should be supported by a certification by Brazil that the item meets specifications as indicated by the sample models shown on the equipment list and that the item and price are acceptable, and by a copy of the vendor's invoice or similar document. Requests for payment should be forwarded to the Technical Facilities and Training Branch, Division of International Affairs, U.S. Atomic Energy Commission, Washington 25, D.C. *Payment will be made in United States dollars by the United States Atomic Energy Commission*