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No. 118

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of the Bahamas, and has the honor to refer to earlier discussions between representatives of the two Governments regarding the provision of defense articles, related training, and other defense services, including training provided pursuant to the United States International Military Education and Training program, on a grant basis pursuant to the Foreign Assistance Act of 1961, as amended.

In accordance with these discussions, it is proposed that the Government of the Bahamas agree:

A. That unless the consent of the Government of the United States of America has been first obtained the Government of the Bahamas shall not:

(I) Permit any use of such defense articles, related training, including training materials, or other defense services by anyone not an officer, employee or agent of the Government of the Bahamas;

(II) Transfer, or permit any officer, employee or agent of the Government of the Bahamas to transfer such defense articles, related training, including training materials, or

other defense services by gift, sale or otherwise; or

(III) Use, or permit the use of such defense articles, related training, including training materials, or other defense services for purposes other than those for which provided;

B. That such defense articles, related training, including training materials, or other defense services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C. That the net proceeds of sale received by the Government of the Bahamas in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America;

D. That the Government of the Bahamas shall maintain the security of such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, or other defense services by the Government of the United States of America; that it shall, as the United States of America may require, permit continuous observation and review by, and furnish,

necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Bahamas; and

E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

The Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of the Bahamas shall, together with this note, constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's note and shall supersede the Agreement concerning the provision of training related to defense articles under the United States International Military and Education Training (IMET) program, effected by exchange of notes at Nassau on March 11, and May 5, 1985, in its entirety.

The Embassy of the United States of America greatly appreciates the Government of the Commonwealth of The Bahamas' consideration of this request, and avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Commonwealth the assurances of its highest consideration.

Embassy of the United States of America,

Nassau, July 11, 2006





Ministry of Foreign Affairs and the
Public Service
P.O. Box N-3746
East Hill Street
Nassau, Bahamas

13th September, 2006

Note No 216

The Ministry of Foreign Affairs of the Commonwealth of The Bahamas presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's Note No. 118 dated 11 July 2006, which refers to discussions between representatives of the two Governments regarding the provision of defense articles, related training, and other defense services, including training provided pursuant to the United States International Military Education and Training program, on a grant basis pursuant to the Foreign Assistance Act of 1961, as amended.

In accordance with these discussions, the Ministry of Foreign Affairs has the honour to advise that the Government of the Commonwealth of The Bahamas agrees as follows:

- A. That unless the consent of the Government of the United States of America has been first obtained the Government of The Bahamas shall not:
- (i) Permit any use of such defense articles, related training, including training materials or other defense services by anyone not an officer, employee or agent of the Government of The Bahamas;
 - (ii) Transfer, or permit any officer, employee or agent of the Government of The Bahamas to transfer such defense articles, related training, including training materials, or other defense services by gift, sale or otherwise; or
 - (iii) Use, or permit the use of such defense articles, related training, including training materials, or other defense services for purposes other than those for which provided;
- B. That such defense articles, related training, including training materials, or other defense services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

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- C. That the net proceeds of sale received by the Government of The Bahamas in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America;
- D. That the Government of The Bahamas shall maintain the security of such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, or other defense services by the Government of the United States of America; that it shall, as the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of The Bahamas; and
- E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

The Ministry of Foreign Affairs has the honour, further, to convey the agreement of the Government of the Commonwealth of The Bahamas to the proposal that the Embassy's Note No. 118 of 11 July 2006 and this Note in response shall constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's Note and shall supersede the Agreement concerning the provision of training related to defense articles under the United States International Military and Education Training (IMET) program, effected by exchange of notes at Nassau on March 11, and May 5, 1985, in its entirety.

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

Embassy of the United States
Of America
Mosmar Building
Queen Street
Nassau, Bahamas

