

DEFENSE

Assistance

**Agreement between the
UNITED STATES OF AMERICA
and PORTUGAL**

Amending the Agreement of
May 30, 1974 and June 30, 1975

Effected by Exchange of Notes at
Lisbon December 23, 2004 and
January 19, 2005



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

PORTUGAL

Defense: Assistance

*Agreement amending the agreement of
May 30, 1974 and June 30, 1975.
Effected by exchange of notes at Lisbon
December 23, 2004 and January 19, 2005;
Entered into force January 19, 2005.*

No. 2004-340

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Portuguese Republic and has the honor to refer to the Agreement concerning payment to the United States of net proceeds from the sale or disposal of defense articles furnished on a grant basis (copy in Annex), and proposes that the Agreement be amended.

The Agreement would be amended by replacing "under the military assistance program of" with "on a grant basis from" in the second paragraph.

If this proposal is acceptable, the Embassy proposes that this note and the Ministry's affirmative note in reply, suggested text attached, shall constitute an agreement between the two Governments which shall enter into force on the date of the Ministry's reply.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Affairs of the Portuguese Republic the assurances of its highest consideration.

Embassy of the United States of America
Lisbon, December 23, 2004



DIPLOMATIC NOTE



MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS
DIRECÇÃO-GERAL DAS RELAÇÕES BILATERAIS
Direcção de Serviços da América do Norte

DGRB (DAN) 00022

PROC. 3/EUA/S.1.

The Ministry of Foreign Affairs of the Portuguese Republic presents its compliments to the Embassy of the United States and acknowledges receipt of the Embassy's Note No.2004-340, dated December 23, 2004, which reads as follows:

“The Embassy of the United States of the America presents its compliments to the Ministry of Foreign Affairs of the Portuguese Republic and has the honour to refer to the Agreement concerning payment to the United States of the net proceeds from the sale or disposal of defense articles furnished on a grant basis and proposes that the Agreement be amended.

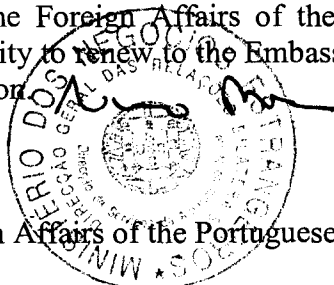
The Agreement would be amended by replacing “under the military assistance program of” with “on a grant basis from” in the second paragraph.

If this proposal is acceptable, the Embassy proposes that this note and the Ministry's affirmative note in reply, shall constitute an agreement between the two Governments which shall enter into force on the date of the Ministry's reply.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of the Foreign Affairs of the Portuguese Republic the assurances of its highest consideration.”

The Ministry of the Foreign Affairs of the Government of Portugal has the honour to confirm to the Embassy of the United States of America that based on the fact that the present amendment constitutes a clarification of the Agreement's contents, the Government of Portugal accepts the above-mentioned proposal. The Embassy's note and the Ministry's note shall constitute an agreement between the two Governments, which shall enter into force on the date of this note.

The Ministry of the Foreign Affairs of the Government of the Portuguese Republic takes this opportunity to renew to the Embassy of the United States the assurances of its highest consideration.



Ministry of Foreign Affairs of the Portuguese Republic

Lisbon, January 19 2005