

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE UNITED STATES OF AMERICA ON MILITARY ASSISTANCE TO THE PHILIPPINES

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Note: The Agreement entered into force, April 20, 1956.

Reference: This Agreement is also published in 273 UNTS, p. 316.

I

THE AMERICAN MINISTER TO THE PHILIPPINE SECRETARY OF FOREIGN AFFAIRS

AMERICAN EMBASSY

No. 1180

Manila, Philippines, April 20, 1956

Excellency:

I have the honor to refer to conversations which have recently taken place between our two Governments with regard to the conclusion of an Agreement supplementing and amending the Agreement between our two Governments effected by an exchange of notes, dated April 27, 1955, concerning the promotion of national defense and economic objectives, and to confirm the understandings reached as a result of these conversations as follows:

1. The Government of the United States, subject to the requirements of any applicable United States law, will furnish to the Government of the Republic of the Philippines financial assistance, in addition to the financial assistance provided for in the above-mentioned Agreement of April 27, 1955, to the extent of \$6,910,000 (including \$4,700,000 from funds appropriated for Defense Support and \$2,210,000 from funds appropriated for Direct Forces Support) plus the five percent previously reserved of the pesos- accruing as a result of the sales of surplus agricultural commodities under Section 402 of the Mutual Security Act of 1954, to promote the mutual defense and economic objectives of our two Governments in connection with the construction of facilities required for the training of an additional infantry division and other military construction and in furtherance of the Joint Philippine-American Economic Development Program.
2. The Government of the Republic of the Philippines will accomplish: (1) such construction of facilities for the training of an infantry division; and (2) such other military construction as may be jointly decided upon by the Secretary of National Defense of the Republic of the Philippines and the Chief Advisor, Joint United States Military Advisory Group to the Republic of the Philippines.
3. The financial assistance provided for in this Agreement shall, except as otherwise specified herein, be furnished in accordance with, and subject to, the terms and conditions of the above-mentioned Agreement of April 27, 1955. Paragraph five of the Agreement of April 27, 1955; is amended to read as follows:

(A) Peso receipts accruing to the Government of the Republic of the Philippines from imports financed from the portion of the dollar fund referred to in paragraph four of the Agreement of April 27, 1955, shall be deposited to the Counterpart Fund-Special Account as established in the Economic and Technical Cooperation Agreement between the two Governments, dated April 27, 1951. Upon the request of the Joint United States Military Advisory Group, ninety-five percent of these deposits shall be released to it solely to satisfy the requirements of the Chief Advisor for peso funds to be used for purposes covered in this Agreement.

(B) It is understood that dollar funds provided for in this Agreement may be used to finance sales of surplus agricultural commodities pursuant to Section 402 of the United States Mutual Security Act of 1954, as amended, and that peso receipts accruing to the Government of the United States from such sales will be deposited in accordance with the terms of the authorization or arrangement relating to any such sale and, subject to any terms and conditions of any such authorization or arrangement relative to any such sale, may be used for purposes of this Agreement.

I have the honor to propose that if these undertakings are acceptable to your Government, this note and Your Excellency's reply will constitute an Agreement between our two Governments supplementing and amending the above-mentioned Agreement of April 27, 1955, which will enter into force on the date of receipt of Your Excellency's note and remain in force until thirty days after the receipt by either Government of written notice of the intention of the other Government to terminate it without prejudice to the continued validity of obligations already accrued.

CHARLES R. BURROWS

His Excellency CARLOS P. GARCIA
Secretary of Foreign Affairs of the Republic of the Philippines

II

THE PHILIPPINE SECRETARY OF FOREIGN AFFAIRS TO THE AMERICAN MINISTER

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FOREIGN AFFAIRS

No. 1049

Manila, April 20, 1956

Sir:

I have the honor to acknowledge the receipt of your note No. 1180 of today's date regarding conversations which have recently taken place between our two Governments with regard to the conclusion of an Agreement supplementing and amending the Agreement between our two Governments effected by an exchange of notes, dated April 27, 1955, concerning the promotion of national defense and economic objectives, and to confirm the understandings reached as a result of these conversations as follows:

[See note I]

I have the honor to inform that these undertakings are acceptable to my Government and that your note with this reply constitute an agreement between our two Governments supplementing and amending the above-mentioned Agreement of April 27, 1955 which shall enter into force upon the receipt of this note and shall remain in force until 30 days after the receipt by either Government of written notice of the intention of the other government to terminate it, without prejudice to the continued validity of obligations already accrued.

CARLOS P. GARCIA

Secretary

The Honorable CHARLES R. BURROWS

Minister of the United States

American Embassy

Manila

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