

(N. 1573)

# SENATO DELLA REPUBBLICA

## DISEGNO DI LEGGE

presentato dal **Ministro degli Affari Esteri**

(SFORZA)

di concerto col **Ministro del Tesoro**

(PELLA)

col **Ministro del Commercio con l'Estero**

(IVAN MATTEO LOMBARDO)

col **Ministro delle Finanze**

(VANONI)

col **Ministro della Marina Mercantile**

(SIMONINI)

col **Ministro dei Lavori Pubblici**

(ALDISIO)

col **Ministro dell'Agricoltura e delle Foreste**

(SEGNI)

col **Ministro dei Trasporti**

(D'ARAGONA)

col **Ministro dell'Industria e Commercio**

(TOGNI)

e col **Ministro del Lavoro e della Previdenza Sociale**

(MARAZZA)

COMUNICATO ALLA PRESIDENZA IL 6 MARZO 1951

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Approvazione ed esecuzione dello scambio di Note fra l'Italia e gli Stati Uniti d'America relativo all'Accordo di cooperazione economica del 28 giugno 1948, effettuato a Washington il 7 febbraio 1950.

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ONOREVOLI SENATORI. — Il disegno di legge che viene sottoposto alla vostra approvazione mira a dare esecuzione allo scambio di Note tra l'Italia e gli Stati Uniti d'America avvenuto a Washington il 7 febbraio 1950.

Esso provvede ad adattare l'Accordo per la cooperazione economica, firmato a Roma il 28 giugno 1948, ai mutamenti intervenuti nella legislazione interna statunitense.

Tale possibilità era infatti prevista dallo stesso Accordo E.C.A. nel quale le Parti contraenti facevano richiamo alla legislazione americana considerandola non da un punto di vista statico ma bensì dinamico.

In base al paragrafo 3 dello scambio di Note, al Governo statunitense viene riconosciuta

la proprietà delle somme, ovvero dei crediti di lire, ad esso trasferiti per effetto delle disposizioni contenute nella sezione 111 (b) (3) dell'« Economic Cooperation Act » del 1948. Il Governo Americano potrà inoltre avvalersi di ogni diritto o titolo, non esclusi quelli processuali, concernenti tali somme o crediti in lire.

Il paragrafo quarto disciplina l'applicazione delle norme contenute nell'articolo 4, paragrafo 4 dell'Accordo E. C. A., confermandone l'applicabilità nei riguardi di tutti i depositi effettuati in base alle disposizioni di cui al paragrafo 2 (B) e (C) dello stesso articolo ed includendovi anche i depositi relativi all'assistenza prestata in base al « Foreign Aid Appropriation Act » del 1949.

## DISEGNO DI LEGGE

### Art. 1.

È approvato lo scambio di Note effettuato a Washington fra l'Italia e gli Stati Uniti d'America, il 7 febbraio 1950, che apporta emendamenti all'Accordo di Cooperazione Economica, concluso a Roma il 28 giugno 1948 e reso esecutivo con legge 4 agosto 1948, n. 1108.

### Art. 2.

Piena ed intera esecuzione è data allo scambio di Note suddetto.

### Art. 3.

La presente legge entra in vigore il giorno successivo a quello della sua pubblicazione nella *Gazzetta Ufficiale* ed ha effetto dal 7 febbraio 1950.

ALLEGATO.

## SCAMBIO DI NOTE

FRA L'ITALIA E GLI STATI UNITI D'AMERICA RELATIVO ALL'ACCORDO DI COOPERAZIONE ECONOMICA DEL 28 GIUGNO 1948

February 7, 1950

Excellency,

I have the honor to refer to the conversations which have recently taken place between representatives of our two Governments relating to the Economic Cooperation Agreement between the United States of America and Italy, signed at Rome on June 28, 1948, to the Interpretative Notes annexed to that Agreement, and to the enactment into law of U. S. Public Law 47 81st Congress, amending the Economic Cooperation Act of 1948. I also confirm the understandings reached as a result of these conversations as follows:

1. The Government of Italy has expressed its adherence to the purposes and policies of the Economic Cooperation Act of 1948 as heretofore amended.

2. Whenever reference is made in any of the articles of such Economic Cooperation Agreement to the Economic Cooperation Act of 1948 it shall be construed as meaning the Economic Cooperation Act of 1948 as heretofore amended.

3. The reference in paragraph 2 of Article III of the Economic Cooperation Agreement, to recognition as the property of the Government of the United States of any lire or credits in lire assigned or transferred to it pursuant to Section 111 (b) (3) of the Economic Cooperation Act of 1948 as heretofore amended, includes recognition that the Government of the United States will be subrogated to any right, title, claim, or cause of action existing in connection with such lire or credits in lire.

4. The provisions of Article IV, paragraph 4 of the Economic Cooperation Agreement, shall be applied to all deposits made pursuant to paragraphs 2 (b) and (c) of that Article without limitation to deposits in respect of assistance furnished under authority of the Foreign Aid Appropriation Act, 1949.

Upon the receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Government of Italy, the Government of the United States of America will consider that this note and your reply thereto constitute an amendment to the Economic Cooperation Agreement between the two Governments signed at Rome, on June 28, 1948.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN ACHESON.

His Excellency

Signor Alberto TARCHIANI

*Ambassador of Italy*

N. 1326.

February 7, 1950

Dear Mr. Secretary,

I have the honor to refer to your kind letter of February 7th, 1950 and to the understandings reached as a result of conversations which have recently taken place between representatives of our two Governments, relating to the Economic Cooperation Agreement between the United States of America and Italy, signed at Rome on June 28, 1948, to the Interpretative Notes annexed to that Agreement and to the enactment into law of U. S. Public Law 47, 81st Congress, amending the Economic Cooperation Act of 1948.

With reference thereto, I wish to confirm the above mentioned understandings as follows:

1. The Government of Italy has expressed its adherence to the purpose and policies of the Economic Cooperation Act of 1948 as heretofore amended

2. Whenever reference is made in any of the Articles of such Economic Cooperation Agreement to the Economic Cooperation Act of 1948, it shall be construed as meaning the Economic Cooperation Act of 1948 as heretofore amended.

3. The reference in paragraph 2 of Article III of the Economic Cooperation Agreement, to recognition as the property of the Government of the United States of any lire or credits in lire assigned or transferred to it pursuant to Section 111 (b) (3) of the Economic Cooperation Act of 1948 as heretofore amended, includes recognition that the Government of the United States will be subrogated to any right, title, claim, or cause of action existing in connection with such lire or credits in lire.

4. The provisions of Article IV, paragraph 4 of the Economic Cooperation Agreement, shall be applied to all deposits made pursuant to paragraph 2 (b) and (c) of that Article without limitation to deposits in respect of assistance furnished under authority of the Foreign Aid Appropriation Act, 1949.

The Government of Italy considers that your Note and this reply effectively amend the Economic Cooperation Agreement between the Italian and the United States Governments of June 28, 1948. This amendment enters into force on the date of this Note.

Accept, my dear Mr. Secretary, the renewed assurances of my highest consideration.

ALBERTO TARCHIANI.

The Honorable

Dean ACHESON

*Secretary of State*

WASHINGTON, D. C.