

EMPLOYMENT

**Agreements Between the
UNITED STATES OF AMERICA
and BRAZIL Extending and Amending the
Agreement of July 8, 1987, as
Extended**

Effected by Exchange of Notes at
Brasilia July 6 and 8, 2005

and

Effected by Exchange of Notes at
Brasilia March 18 and 19, 2011



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.”

BRAZIL

Employment

*Agreements extending and amending
the agreement of July 8, 1987,
as extended.*

*Effected by exchange of notes at Brasilia
July 6 and 8, 2005;*

Entered into force July 8, 2005.

*And effected by exchange of notes at Brasilia
March 18 and 19, 2011;*

Entered into force March 19, 2011.

Brasília July 6, 2005.

No.: 213

Honorable Ambassador Celso Amorim
Minister of Foreign Affairs

Dear Mr. Minister:

I have the honor to refer to the Diplomatic Note no. 113 of June 25, 1999 which extended the terms of the Bilateral Agreement for Dependents of Diplomatic and Consular Personnel to July 8, 2005. Considering that paragraph 8 of the Agreement between the Government of the United States of America and the Government of Brazil allows for subsequent extensions for an equal period of time, by concurrence of both parties, I hereby request a renewal of the agreement for an additional six (6) years, from July 9, 2005 to July 8, 2011.

The terms of the original agreement will apply, as will any letters of implementation or clarification which have been or may be exchanged between the two Parties.

I avail myself of this opportunity to renew the assurance of my highest consideration.

Frank J. Manganiello
Acting Deputy Chief of Mission

SEM ANEXO NA
CARTEIRA DE ENTRADA



DIPLOMATIC NOTE

C/ 001

/DIMU BRAS EUA

Brasília, 08 de julho de 2005.

Senhor Embaixador,

Considerando que o Acordo relativo ao Exercício de Atividades Remuneradas por parte de Dependentes do Pessoal Diplomático e Consular, celebrado em 8 de julho de 1987 entre os Governos da República Federativa do Brasil e dos Estados Unidos da América, estipula, em seu Parágrafo oitavo, que a respectiva validade, por um período de seis anos, poderá ser renovada por igual período, mediante entendimento entre as partes.

2. Considerando os resultados positivos que esse Instrumento tem proporcionado a ambos países e, com referência à Nota 213, datada de 6 de julho de 2005, eu aceito, em nome da República Federativa do Brasil, que o referido instrumento tenha sua validade prorrogada por mais seis (6) anos, nos mesmos termos.

A Sua Excelência o Senhor
Embaixador JOHN DANILOVICH
Embaixada dos Estados Unidos da América
Brasília - DF

3. Nesse sentido, o referido Acordo tem a sua vigência prorrogada a partir do dia 9 de julho de 2005 até o dia 8 de julho de 2011.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos de minha alta consideração.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

SAMUEL PINHEIRO GUIMARÃES
Ministro de Estado, interino, das Relações Exteriores



Translation

No. C/001/DIMU BRAS EUA

Brasília, July 8, 2005

Mr. Ambassador:

Considering that paragraph 8 of the Agreement Relating to the Employment of Dependents of Official Government Employees, concluded on July 8, 1987, by the Governments of the Federative Republic of Brazil and the United States of America, stipulates that the original six-year period of validity may be extended for an equal period of time with the understanding or concurrence of the parties; and

Considering the positive results that this Agreement is producing for both countries and, with reference to Embassy note No. 213 of July 6, 2005, I hereby accept, on behalf of the Federative Republic of Brazil, the renewal of the Agreement for an additional six years, under the same terms.

In that regard, the validity of the above-mentioned Agreement shall be extended from July 9, 2005, to July 8, 2011.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

[Signature]

Samuel Pinheiro Guimarães
Acting Minister of Foreign Affairs

His Excellency
John Danilovich,
Ambassador of the United States of America,
Brasília, D.F.

Brasilia, March 18th, 2011.

Note N. 1

Mr. Ambassador,

Considering that the Agreement on the Employment of Dependents of Diplomatic and Consular Personnel, signed on July 8, 1987 between the Government of the Federative Republic of Brazil and the Government of the United States of America (“the Agreement”), stipulates in paragraph 8 that the Agreement is valid for a period of 6 (six) years and can be renewed for an equal period of time, by an understanding between both parties.

2. Considering that the mentioned Agreement was extended on July 8, 2005 for 6 (six) years, until July 8, 2011.

3. Considering the positive results that the Agreement has provided to both countries, I have the honor to propose that the first sentence of paragraph 8 be amended by deleting the existing sentence and replacing it with the following: “The present agreement will remain in force for an indefinite period of time.”

4. Furthermore, considering the importance of this Agreement to the families of the employees from our respective countries, I have the honor to propose to Your Excellency an amendment to paragraph 3 of the Agreement to add the following: “;(e) accredited domestic partners” following the phrase “physical or mental handicaps”.

5. If the Government of the United States agrees with this proposal, this Note and a Note of response by Your Excellency, which expresses your agreement with the proposal, will constitute an amendment to the Agreement which shall enter into force on the date of Your Excellency’s Note in reply.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.


ANTONIO DE AGUIAR PATRIOTA
Minister of External Relations
of the Federative Republic of Brazil

Your Excellency
Mr. Thomas Shannon
Ambassador Extraordinary and Plenipotentiary
of the United States of America

Brasília, em de março de 2011.

Nota No. 1

Senhor Embaixador,

Considerando que o Acordo Relativo ao Exercício de Atividades Remuneradas por Parte de Dependentes do Pessoal Diplomático e Consular, celebrado em 8 de julho de 1987 entre os Governos da República Federativa do Brasil e dos Estados Unidos da América (“o Acordo”), estipula em seu parágrafo 8 que a validade do Acordo é de 6 (seis) anos, podendo ser renovada por igual período, mediante entendimento entre as Partes.

2. Considerando que o mencionado Acordo foi renovado em 8 de julho de 2005 por mais 6 (seis) anos, até o dia 8 de julho de 2011.

3. Considerando os resultados positivos que o Acordo tem proporcionado a ambos os países, tenho a honra de propor que a primeira frase do parágrafo 8 seja emendada, mediante a exclusão da sentença atual e sua substituição por: “O presente acordo permanecerá em vigor por um período indeterminado de tempo.”

4. Ademais, considerando a importância desse Acordo para as famílias dos funcionários de nossos respectivos países, tenho a honra de propor a Vossa Excelência uma emenda ao parágrafo 3 do Acordo, adicionando o seguinte: “;(e) companheiros permanentes credenciados”, após a expressão “deficiências físicas ou mentais”.

5. Caso o Governo dos Estados Unidos concorde com a presente proposta, esta Nota e a Nota de resposta de Vossa Excelência, em que fique expressa tal concordância, constituirão uma emenda ao Acordo, com vigor a partir da data da Nota de resposta de Vossa Excelência.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos de minha alta consideração.



ANTONIO DE AGUIAR PATRIOTA
Ministro das Relações Exteriores
da República Federativa do Brasil

Excelentíssimo Senhor
Thomas Shannon
Embaixador Extraordinário e Plenipotenciário
dos Estados Unidos da América

Your Excellency
Mr. Antonio de Aguiar Patriota
Minister of External Relations of
the Federative Republic of Brazil

Excellency,

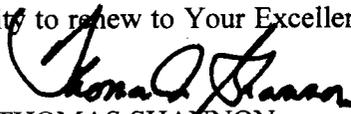
I have the honor to acknowledge receipt of the letter from your Excellency dated March 18th, 2011, as follows:

“Considering that the Agreement on the Employment of Dependents of Diplomatic and Consular Personnel, signed on July 8, 1987 between the Government of the Federative Republic of Brazil and the Government of the United States of America (‘the Agreement’), stipulates in paragraph 8 that the Agreement is valid for a period of 6 (six) years and can be renewed for an equal period of time, by an understanding between both parties.

2. Considering that the mentioned Agreement was extended on July 8, 2005 for 6 (six) years, until July 8, 2011.
3. Considering the positive results that the Agreement has provided to both countries, I have the honor to propose that the first sentence of paragraph 8 be amended by deleting the existing sentence and replacing it with the following: ‘The present agreement will remain in force for an indefinite period of time.’
4. Furthermore, considering the importance of this Agreement to the families of the employees from our respective countries, I have the honor to propose to Your Excellency an amendment to paragraph 3 of the Agreement to add the following: ‘;(e) accredited domestic partners’ following the phrase ‘physical or mental handicaps’.
5. If the Government of the United States agrees with this proposal, this Note and a Note of response by Your Excellency, which expresses your agreement with the proposal, will constitute an amendment to the Agreement which shall enter into force on the date of Your Excellency’s Note in reply.”

I have the honor to inform Your Excellency that the Government of the United States of America accepts the proposal of the Government of the Federative Republic of Brazil to renew, under the terms written in the note above, the Agreement Related to the Remuneration Employment Activities of Dependents of Diplomatic and Consular Employees.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.



THOMAS SHANNON
Ambassador Extraordinary and Plenipotentiary
of the United States of America