

EMBASSY OF THE  
UNITED STATES OF AMERICA

Madrid, July 2, 1982

N.º 522

(1)

Excellency:

I have the honor to refer to the recent discussions between the Government of Spain and the Government of the United States of America relating to United States military installations in Spain, and to assure you that the Government of the United States of America will settle damage claims resulting from nuclear incidents pursuant to the following:

The United States Congress has enacted Public Law 93-153, which provides that the United States will settle claims for bodily injury, death or damage to or loss of real or personal property proven to have resulted from a nuclear incident involving the nuclear reactor of a United States nuclear-powered warship on the basis of absolute liability. As of December 6, 1974, the provisions of this legislation are in effect for all United States nuclear-powered warships entering Spanish as well as all other foreign ports.

While the foregoing law applies only to claims arising from nuclear incidents involving the nuclear reactor of a United States nuclear-powered warship, the Government of the United States of America gives its further assurances that it will endeavor, should the need arise, to seek legislative authority to settle in a similar manner claims for bodily injury, death or damages to or loss of real personal property proven to have resulted from a nuclear incident involving any other United States nuclear component giving rise to such claims within Spanish territory.

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(1) *NOTA: La traducción va inserta en el acuse recibo del Ministerio de Asuntos Exteriores que aparece a continuación de esta Nota.*

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Additionally, I am pleased to note that in any situation described above, the United States would be prepared to waive the provisions of Article VIII of the NATO Status of Forces Agreement.

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

His Excellency

*José Pedro Pérez-Llorca y Rodrigo*

Minister of Foreign Affairs

Madrid