

STATI UNITI

SCAMBIO DI NOTE DEL 16/01/1978 E 20/01/1978

Rome, January 16, 1978

Excellency:

I have the honor to refer to the Agreement between the United States of America and the Italian Republic on the matter of social security signed in Washington on May 23, 1973, to the Administrative Protocol for the implementation of the 1973 Agreement signed in Rome on November 22, 1977, and to Article 2, Paragraph 3, of the 1973 Agreement.

The social security amendments of 1977 (Public Law 95-216) which became law on December 20, 1977, have, inter alia, altered the method of computing benefits under the Social Security Act after December 31, 1978. As a result of this change, which in general eliminates the use of a benefit table for computing benefits after December 31, 1978, the definition of «basic benefit amount» which is applicable to the United States now contained in Article I.k of the 1973 Agreement will be obsolete after that date. Since the continued reference to that definition would make the 1973 Agreement, as a practical matter, inoperable under United States law after December 31, 1978, and since that would be contrary to the purposes of the Agreement and to the intent of the contracting Parties, the United States proposes to use the following language as the definition for purposes of implementing the 1973 Agreement after December 31, 1978. If this definition is acceptable to the Government of the Italian Republic, the Congress of the United States will be so informed during the process of review leading to the approval of the 1973 Agreement and the 1977 Administrative Protocol and their subsequent implementation.

It is therefore proposed that, beginning on January 1, 1979, that portion of Article I.k of the 1973 Agreement which defines "basic benefit amount" with respect to the United States of America shall be interpreted to mean: and as regards the United States of America, "primary insurance amount" based on a worker's average monthly earnings or average indexed monthly earnings, as provided in section 215 (a) of the Social Security Act as amended by the Social Security amendments of 1977; ».

Except with respect to this interpretation, all terms and conditions of the 1973 Agreement and the 1977 Administrative Protocol remain the same. I propose that, as to the interpretation of Article I.k of the 1973 Agreement, this Note and your reply concurring therein constitute an agreement between our two Governments effective on the date of your Note in reply.

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

RICHARD GARDNER

HIS EXCELLENCY ARNALDO FORLANI
MINISTER OF FOREIGN AFFAIRS
ROMA

IL MINISTRO DEGLI AFFARI ESTERI

Roma, 20 gennaio 1978

Signor Ambasciatore, ho l'onore di riferirmi alla Sua lettera n. 33 del 16 gennaio 1978, del seguente tenore:

(segue testo della Nota precedente)

Al riguardo ho l'onore di comunicarLe che il mio Governo con-corda circa la proposta contenuta nella lettera medesima, concernente l'interpretazione dell'articolo I. k dell'Accordo fra gli Stati Uniti d'America e la Repubblica italiana in materia di sicurezza sociale firmato a Washington il 23 maggio 1973.

Voglia accettare, signor Ambasciatore, i rinnovati sensi della mia più alta considerazione.

ARNALDO FORLANI

S.E. l'Ambasciatore Richard Gardner
Ambasciata degli Stati Uniti d'America Roma
