

No. 50935

**United States of America
and
Japan**

Exchange of notes constituting an agreement between the Government of the United States of America and the Government of Japan concerning the cooperation between the National Aeronautics and Space Administration of the United States of America and the National Space Development Agency of Japan on the tropical rainfall measuring mission program. Washington, 30 May 1997

Entry into force: *30 May 1997 by the exchange of the said notes, in accordance with their provisions*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *United States of America, 18 June 2013*

**États-Unis d'Amérique
et
Japon**

Échange de notes constituant un accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement du Japon concernant la coopération entre l'Administration nationale de l'aéronautique et de l'espace des États-Unis d'Amérique et l'Agence nationale de développement spatial du Japon sur le programme de la mission pour la mesure des précipitations tropicales. Washington, 30 mai 1997

Entrée en vigueur : *30 mai 1997 par l'échange desdites notes, conformément à leurs dispositions*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *États-Unis d'Amérique, 18 juin 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

I

DEPARTMENT OF STATE
WASHINGTON

May 30, 1997

Excellency,

I have the honor to refer to the recent discussions between representatives of the Government of the United States of America and of the Government of Japan concerning the cooperation between the National Aeronautics and Space Administration of the United States of America (hereinafter referred to as "NASA") and the National Space Development Agency of Japan (hereinafter referred to as "NASDA") on the Tropical Rainfall Measuring Mission Program (hereinafter referred to as "the Program"), which will be undertaken by NASDA as a part of the "Basic Program concerning Space Development" of the Government of Japan.

In consideration of the continuing mutually beneficial relationship between the two Governments in the field of peaceful exploration and use of outer space; taking into account the Agreement between the Government of the United States of America and the Government of Japan on Cooperation in Research and Development in Science and Technology, signed at Toronto, on June 20, 1988, as extended; and reaffirming that the provisions of the Agreement between the Government of the United States of America and the Government of Japan Concerning Cross-Waiver of Liability for Cooperation in the Exploration and Use of Space for Peaceful Purposes, signed at Washington, on

His Excellency

Kunihiko Saito,

Ambassador of Japan.

April 24, 1995, and the Exchange of Notes of the same date between the two Governments concerning subrogated claims shall apply to the Program, I have further the honor to propose on behalf of the Government of the United States of America the following:

1. The cooperation between NASA and NASDA mentioned above will be conducted in accordance with the terms and conditions of implementing arrangements (Memorandum of Understanding, hereinafter referred to as "the MOU") agreed between NASA and NASDA for the development and operation of an observatory satellite to measure tropical rainfall, its launch by an H-II launch vehicle, and related scientific activities.

2. The provisions of the MOU will be implemented in accordance with the laws and regulations in force in each country. Activities under the MOU will be undertaken subject to the availability of appropriated funds.

3. Unless otherwise agreed, the Government of the United States of America shall register the satellite referred to in paragraph 1 above in accordance with the provisions of the Convention on Registration of Objects Launched into Outer Space, done at New York, on January 14, 1975.?? 12/11/1974 *

4. The Government of the United States of America and the Government of Japan shall consult with each other on any matter that may arise from or in connection with the Program with a view to finding a mutually acceptable solution.

5. The present arrangements shall remain in force for five years, unless terminated by either Government upon six

* Published as submitted – Publié tel que soumis.

months' written notice of its intention to terminate them through diplomatic channels. The present arrangements may be extended or amended by mutual written agreement of the two Governments.

I have further the honor to propose that, if the foregoing is acceptable to the Government of Japan, this Note and Your Excellency's Note in reply shall constitute an agreement between the two Governments, which will enter into force on the date of Your Excellency's reply.

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

For the Secretary of State:

