

SCIENTIFIC COOPERATION

**Agreement Between the
UNITED STATES OF AMERICA
and THE EUROPEAN COMMUNITY
Extending the
Agreement of December 5, 1997**

Effected by Exchange of Notes at
Brussels October 8, 2004

and

Agreement Amending and Extending the
Agreement of December 5, 1997

Effected by Exchange of Notes at
Brussels and Washington May 15 and July 6, 2009



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.”

EUROPEAN COMMUNITY

Scientific Cooperation

*Agreement extending the agreement of December 5, 1997.
Effected by exchange of notes at Brussels October 8, 2004;
Entered into force October 8, 2004.
And agreement amending and extending the agreement of
December 5, 1997.
Effected by exchange of notes at Brussels and Washington,
May 15 and July 6, 2009;
Entered into force July 6, 2009.*



COUNCIL OF THE EUROPEAN UNION

SGS4/11509

Brussels, 8 October 2004

NOTE VERBALE

The Council of the European Union presents its compliments to the United States Mission to the European Union and has the honour to refer to the Agreement for scientific and technological cooperation between the European Community and the Government of the United States of America, signed at Washington D.C. on 5 December 1997 (hereinafter referred to as the Basic Agreement).

The Council of the European Union further has the honour to notify the United States Mission to the European Union of the adoption, by the Council, on 4 October 2004 of its decision approving the extension to the Basic Agreement for a period of five years, effective as from 14 October 2003.

The Council of the European Union proposes that this Note Verbale and a Note in reply from the United States shall constitute an agreement between the European Community and the United States of America to extend the Basic Agreement for a period of five years, effective as from 14 October 2003, which shall enter into force on the date the Council is in receipt of your Note in reply.

The Council of the European Union avails itself of this opportunity to renew to the United States Mission to the European Union the expression of its highest consideration.



175 Rue de la Loi,
1048 Brussels, Belgium

The United States Mission to the European Union presents its compliments to the Council of the European Union and has the honor to refer to the Agreement for Scientific and Technological Cooperation Between the Government of the United States of America and the European Community signed at Washington on December 5, 1997 (hereinafter referred to as the Basic Agreement)

The United States Mission has received the Council's note of October 8, 2004, which notifies the Mission of the adoption, by the Council, on October 4, 2004 of its decision approving the extension of the Basic Agreement.

The United States Mission, on behalf of the Government of the United States of America, agrees to the Council's proposal to extend the Basic Agreement for a period of five years, effective as from October 14, 2003. Therefore, this note and the Council's note shall constitute an agreement between the United States of America and the European Community to extend the Basic Agreement for a period of five years, effective as from October 14, 2003, which shall enter into force on the date the Council is in receipt of this note.

SECRETARIAT DU CONSEIL DE L'UNION EUROPEENNE	
SGE4/11391	
REÇU LE	08. 10. 2004
M. GRETSCHMANN	
DEST. PRINC: SERVICE JURIDIQUE
DEST. COP:
BUREAU DES ACCORDS	

The United States Mission to the European Union avails itself of this opportunity to renew to the Council of the European Union the expression of its highest consideration.



Embassy of the United States of America,

Brussels, October 8, 2004.



COUNCIL OF THE EUROPEAN UNION
GENERAL SECRETARIAT

Brussels, 15 May 2009

NOTE VERBALE

SGS9/06298

The General Secretariat of the Council of the European Union, on behalf of the European Community, presents its compliments to the United States Mission to the European Union and has the honour to refer to the Agreement for scientific and technological cooperation between the European Community and the Government of the United States of America, signed at Washington on 5 December 1997, as extended (hereinafter referred to as the Basic Agreement) and, in particular, to Article 12(b) thereof.

The General Secretariat of the Council of the European Union further has the honour to notify the United States Mission of the adoption, by the Council, of its decision approving the extension to the Basic Agreement, subject to the amendments to Article 4(a) of the Basic Agreement as set out in the enclosed Annex, for an additional period of five years, effective as from 14 October 2008.

The General Secretariat of the Council proposes that this Note Verbale and a Note in reply from the United States shall constitute the mutual written agreement between the European Community and the Government of United States of America to extend the Basic Agreement for an additional period of five years, and amend the Basic Agreement by replacing Article 4(a) with the text set out in the enclosed Annex, effective as from 14 October 2008, which shall enter into force on the date the General Secretariat of the Council is in receipt of the United States' Note in reply.

The General Secretariat of the Council of the European Union avails itself of this opportunity to renew to the United States Mission to the European Union the expression of its highest consideration.

Encl.



175 Rue de la Loi,
1048 Brussels, Belgium
Tel 32-2-281 7350 - Fax 32-2-231 8403

Amended text of Article 4(a) of the Agreement for scientific and technological cooperation
between the European Community and the Government of the United States of America

Article 4

Areas of cooperative activities

"(a) Sectors for cooperative activities may include:

- environment (including climate research);
- biomedicine and health (including research on AIDS, infectious diseases and drug abuse);
- agriculture;
- fisheries science;
- engineering research;
- non-nuclear energy;
- natural resources;
- materials sciences (including nanotechnology) and metrology;

- information and communication technologies;
- telematics;
- biotechnology;
- marine sciences and technology;
- social sciences research;
- transportation;
- security research;
- space research;
- science and technology policy, management, training and mobility of scientists."

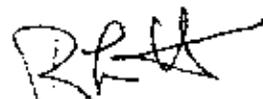


The Department of State has the honor to confirm that it has received Note Verbale No. SGS9/06298 of May 15, 2009, of the General Secretariat of the Council of the European Union (hereinafter referred to as the "Note Verbale"), notifying the Department of the Council's decision to approve the extension and amendment of the Agreement for Scientific and Technological Cooperation between the Government of the United States of America and the European Community, signed at Washington December 5, 1997, as extended (hereinafter referred to as "the Agreement").

The Department of State has the further honor to inform the General Secretariat that the Government of the United States of America hereby accepts the proposals contained in the Note Verbale, and that consequently the Note Verbale, and this Note in reply, shall constitute an agreement to extend the Agreement for an additional period of five years, with effect from October 14, 2008, and to amend Article 4(a) of the Agreement by replacing it with the text set out in the annex to the Note Verbale, which present agreement to extend and amend the Agreement shall enter into force on the date the General Secretariat receives this Note.

Department of State,

Washington, July 6, 2009.

A handwritten signature in black ink, appearing to be 'R. H. ...', is written over the signature line.

DIPLOMATIC NOTE