DEFENSE

Research and Development

Agreement Between the
UNITED STATES OF AMERICA
and JAPAN

Effectuated by Exchange of Notes at
Tokyo March 4, 2014
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.”
JAPAN

Defense: Research and Development

Agreement effected by exchange of notes at Tokyo March 4, 2014;
Entered into force March 4, 2014.
No. 0080

Excellency,

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

"Excellency,

I have the honor to refer to the Mutual Defense Assistance Agreement between Japan and the United States of America signed at Tokyo on March 8, 1954 (hereinafter referred to as "the MDA Agreement"), which provides, inter alia, that each Government, consistently with the principle that economic stability is essential to international peace and security, will make available to the other such equipment, materials, services, or other assistance as the Government furnishing such assistance may authorize, in accordance with such detailed arrangements as may be made between them.

The representatives of the Government of Japan and the Government of the United States of America have recently held discussions for the purpose of making such detailed arrangements as mentioned above concerning a program for the cooperative research on High-Speed Multi-Hull Vessel Optimization (hereinafter referred to as "the Program"), taking into account the exchange of information undertaken in accordance with the Memorandum of Understanding between the Ministry of Defense of Japan and the Department of Defense of the United States of America concerning projects for cooperative research, signed on February 17, 2010 (hereinafter referred to as "the Memorandum of Understanding of 2010"), made under the Exchange of Notes of the same date between the Government of Japan and the Government of the United States of America concerning a program for the cooperative research on Image Gyro for Airborne Applications and concerning the formulation of additional programs for cooperation research under the MDA Agreement. The following is the understanding of the Government of Japan regarding the results of the above-mentioned discussions:

His Excellency
Fumio Kishida,
Minister for Foreign Affairs of Japan

Diplomatic Note
1. In accordance with the detailed implementing arrangements to be made under paragraph 4, the Government of Japan and the Government of the United States of America will mutually provide information, equipment, and materials which are necessary to implement the Program, subject to the laws and regulations of each country. The two Governments will jointly bear the cost necessary for the execution of the Program.

2. The Program will be undertaken through contracts with industries of Japan and industries of the United States of America to the extent necessary.

3. The present understanding will be implemented in accordance with the MDA Agreement and arrangements made thereunder, including the Agreement between the Government of Japan and the Government of the United States of America to Facilitate Interchange of Patent Rights and Technical Information for Purposes of Defense, signed at Tokyo on March 22, 1956.

4. In order to implement the present understanding, representatives of the competent authorities of the two Governments will make detailed implementing arrangements that will be applied to the Program. The detailed implementing arrangements will consist of the Memorandum of Understanding of 2010 and a project arrangement. For such arrangements, the competent authority of the Government of Japan will be the Ministry of Defense, and the competent authority of the Government of the United States of America will be the Department of Defense.

5. The financial obligations and expenditures incurred by the Government of Japan and the Government of the United States of America under the present understanding and all arrangements to be made hereunder will be subject to budget authorization pursuant to the constitutional and legislative provisions of the respective countries.

I have the honor to propose that, if the above understanding is acceptable to the Government of the United States of America, the present Note and Your Excellency's reply of acceptance shall be regarded as constituting an agreement between the two Governments which shall enter into force on the date of Your Excellency's reply and shall remain in force until six months after the date of the receipt of notice of termination by either Government.
I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

I have the honor to confirm on behalf of the Government of the United States of America that the foregoing understanding is acceptable to the Government of the United States of America and to agree that Your Excellency's Note and this reply shall be regarded as constituting an agreement between the two Governments which shall enter into force on the date of this reply and shall remain in force until six months after the date of the receipt of notice of termination by either Government.

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

Embassy of the United States of America
Tokyo, March 4, 2014
書簡をもって啓上いたします。本大臣は、千九百五十四年三月八日に東京で署名された日本国とアメリカ合衆国との間の相互防衛援助協定（以下「MDA協定」という。）に言及する光栄を有します。MDA協定
は、経済の安定が国際の平和及び安全保障に欠くことができないという原則を矛盾しない限り、各政府が、他方の政府に対し、援助を供与する政府が承認することのある装備、資材、役務その他の援助を、両政府の間で行うべき細目取極に戻って、使用に供するものとすることができる特定に規定しています。

日本国政府及びアメリカ合衆国政府の代表者は、MDA協定に基づく共同研究に関する新たな計画の作成についての二千十年二月十七日の交換公文に基づいて作成され、同日に署名された共同研究に関する新たな計画に必要な経費及び費用を支払うための国府の承認を得た。この計画の内容は、両国政府の間で合意されたものである。
日本語版のテキストは読み解けません。
いずれか一方の政府による終了の通告の受領の日の後六箇月が経過する時まで効力を有するものとすることを提案する光栄を有します。

本大臣は、以上を申し進めるに際し、ここに重ねて閣下に向かって敬意を表します。

二千四十四年三月四日に東京で

日本国外務大臣

草田文雄

アメリカ合衆国特命全権大使

キャロライン・ケネディ閣下
Tokyo, March 4, 2014

Excellency,

I have the honor to refer to the Mutual Defense Assistance Agreement between Japan and the United States of America signed at Tokyo on March 8, 1954 (hereinafter referred to as “the MDA Agreement”), which provides, inter alia, that each Government, consistently with the principle that economic stability is essential to international peace and security, will make available to the other such equipment, materials, services, or other assistance as the Government furnishing such assistance may authorize, in accordance with such detailed arrangements as may be made between them.

The representatives of the Government of Japan and the Government of the United States of America have recently held discussions for the purpose of making such detailed arrangements as mentioned above concerning a program for the cooperative research on High-Speed Multi-Hull Vessel Optimization (hereinafter referred to as “the Program”), taking into account the exchange of information undertaken in accordance with the Memorandum of Understanding between the Ministry of Defense of Japan and the Department of Defense of the United States of America concerning projects for cooperative research, signed on February 17, 2010 (hereinafter referred to as “the Memorandum of Understanding of 2010”), made under the Exchange of Notes of the same date between the Government of Japan and the Government of the United States of America concerning a program for the cooperative research on Image Gyro for Airborne Applications and concerning the formulation of additional programs for cooperation research under the MDA Agreement. The following is the understanding of the Government of Japan regarding the results of the above-mentioned discussions:

Her Excellency
Ms. Caroline Kennedy
Ambassador Extraordinary
and Plenipotentiary
of the United States of America
1. In accordance with the detailed implementing arrangements to be made under paragraph 4, the Government of Japan and the Government of the United States of America will mutually provide information, equipment, and materials which are necessary to implement the Program, subject to the laws and regulations of each country. The two Governments will jointly bear the cost necessary for the execution of the Program.

2. The Program will be undertaken through contracts with industries of Japan and industries of the United States of America to the extent necessary.

3. The present understanding will be implemented in accordance with the MDA Agreement and arrangements made thereunder, including the Agreement between the Government of Japan and the Government of the United States of America to Facilitate Interchange of Patent Rights and Technical Information for Purposes of Defense, signed at Tokyo on March 22, 1956.

4. In order to implement the present understanding, representatives of the competent authorities of the two Governments will make detailed implementing arrangements that will be applied to the Program. The detailed implementing arrangements will consist of the Memorandum of Understanding of 2010 and a project arrangement. For such arrangements, the competent authority of the Government of Japan will be the Ministry of Defense, and the competent authority of the Government of the United States of America will be the Department of Defense.

5. The financial obligations and expenditures incurred by the Government of Japan and the Government of the United States of America under the present understanding and all arrangements to be made hereunder will be subject to budget authorization pursuant to the constitutional and legislative provisions of the respective countries.

I have the honor to propose that, if the above understanding is acceptable to the Government of the United States of America, the present Note and Your Excellency’s reply of acceptance shall be regarded as constituting an agreement between the two Governments which shall enter into force on the date of Your Excellency’s reply and shall remain in force until six months after the date of the receipt of notice of termination by either Government.
I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

Fumio Kishida
Minister for Foreign Affairs
of Japan