DEFENSE

Cooperative Research

Agreement Between the
UNITED STATES OF AMERICA
and JAPAN

Effected by Exchange of Notes at Tokyo April 16, 2019

Entered into force April 16, 2019
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.”
Tokyo, April 16, 2019

Excellency:

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

"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 Guidelines for Japan-U.S. Defense Cooperation dated April 27, 2015, confirm that the Self-Defense Forces and the United States Armed Forces will conduct bilateral operations to counter ground attacks against Japan by ground, air, maritime, or amphibious forces.

In this regard, 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 Amphibious Operational Technologies (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

His Excellency,
Taro Kono,
Minister for Foreign Affairs of Japan

Diplomatic Note
formulation of additional programs for cooperation research under the MDA Agreement. The following is the proposal of the Government of Japan regarding the results of the above-mentioned discussions:

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

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

3. The present agreement shall 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 agreement, representatives of the competent authorities of the two Governments shall make detailed implementing arrangements that shall be applied to the Program. The detailed implementing arrangements shall consist of the Memorandum of Understanding of 2010 and project arrangements. For such arrangements, the competent authority of the Government of Japan shall be the Ministry of Defense, and the competent authority of the Government of the United States of America shall 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 agreement and all arrangements to be made hereunder shall 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 proposal 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 proposal 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.

Sincerely,

William F. Hagerty, IV
Ambassador Extraordinary
and Plenipotentiary
of the United States of America
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に矛盾しない限り、他方の政府に対し、援助を供与する政府が承認することができる特を特に規定しています。

この関連で、日本国政府及びアメリカ合衆国政府の代表者、航空機器への応用のための画像データに係る共同研究に関する計画及びMDA協定に基づく共同研究に関する新たな計画の作成に際しての三月十七日の日本国政府とアメリカ合衆国政府との間の交換公文に基づいて作成され、同日に署名された共同作戦実施に関する計画という。}
以下『計画』という。に関する前記の細目取扱を行うため計画を行いました。この計画の結果に関する

1. 国政府の提案は、次の一とおりであります。
2. 計画は、必要な範囲内で、日本国及びアメリカ合衆国の企業との契約を通じて実施される。
3. この合意は、MDA協定及びMDA協定に基づく取扱（丁百五十六年三月二十二日に東京で署名され
た防衛目的のためにする特許権及び技術上の知識の交流を容易にするための日本国政府及びアメリカ合衆国
政府との間の協定を含む。）に従って実施される。
4. この合意及びこの合意に基づいて行われる全ての取扱めの下で日本国政府及びアメリカ合衆国政府が行

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この提案がアメリカ合衆国政府により受諾される場合には、この書簡及び受諾する旨の閣下の返簡が閣下の関係についての合意を構成するものとみなす。その合意が閣下的返簡の日付の日に効力を生じ。かつ、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、以上を申し述べるために際し、ここに重ねて閣下にかつて敬意を表します。
Tokyo, April 16, 2019

Excellency,

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His Excellency
Mr. William F. Hagerty IV
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Taro Kono
Minister for Foreign Affairs
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