

SPACE COOPERATION

**Advanced Spaceborne Thermal
Emission and Reflection Radiometer**

**Agreements Between the
UNITED STATES OF AMERICA
and JAPAN**

**Extending the Agreement of
October 24, 1996**

Effected by Exchange of Notes at
Washington October 19, 2012

and

Effected by Exchange of Notes at
Washington October 22, 2004



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

Space Cooperation: Advanced Spaceborne Thermal Emission and Reflection Radiometer

*Agreements extending the agreement of
October 24, 1996.*

*Agreement effected by exchange of notes at
Washington October 19, 2012;*

Entered into force October 19, 2012.

*And agreement effected by exchange of notes
at Washington October 22, 2004;*

Entered into force October 22, 2004.



Washington, October 19, 2012

Excellency,

I have the honor to refer to the agreement between the Government of Japan and the Government of the United States of America concerning the cooperation between the Ministry of Economy, Trade and Industry of Japan and the National Aeronautics and Space Administration of the United States of America on the Advanced Spaceborne Thermal Emission and Reflection Radiometer (ASTER) Program (hereinafter referred to as "the Program"), which was effected by the Exchange of Notes dated October 24, 1996 and extended for a period of eight years from October 24, 2004 (hereinafter referred to as "the Present Agreement").

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 Japan and the Government of the United States of America on Cooperation in Research and Development in Science and Technology, signed at Toronto on June 20, 1988, as extended and amended; and reaffirming that the provisions of the Agreement between the Government of Japan and the Government of the United States of America Concerning Cross-Waiver of Liability for Cooperation in the Exploration and Use of Space for Peaceful Purposes, signed at Washington on 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 Japan, that the Present Agreement shall be extended for a period of seven years from October 24, 2012.

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

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

For the Ambassador Extraordinary
and Plenipotentiary of Japan

A handwritten signature in black ink, consisting of the letters 'A. U.' followed by a long horizontal line.

Her Excellency
Hillary Rodham Clinton
The Secretary of State

October 19, 2012

Excellency,

I have the honor to acknowledge the receipt of your note of today's date, which reads as follows:

“Excellency,

I have the honor to refer to the agreement between the Government of Japan and the Government of the United States of America concerning the cooperation between the Ministry of Economy, Trade and Industry of Japan and the National Aeronautics and Space Administration of the United States of America on the Advanced Spaceborne Thermal Emission and Reflection Radiometer (ASTER) Program (hereinafter referred to as “the Program”), which was effected by the Exchange of Notes dated October 24, 1996 and extended for a period of eight years from October 24, 2004 (hereinafter referred to as “the Present Agreement”).

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 Japan and the Government of the United States of America on Cooperation in Research and Development in Science and Technology, signed at Toronto on June 20, 1988, as extended and amended; and reaffirming that the provisions of the Agreement between the Government of Japan and the Government of the United States of America Concerning Cross-Waiver of Liability for Cooperation in the Exploration and Use of Space for Peaceful Purposes, signed at Washington on April 24, 1995, and the Exchange of Notes of the same date

His Excellency

Ichiro Fujisaki,
Ambassador of Japan.

DIPLOMATIC NOTE

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 Japan, that the Present Agreement shall be extended for a period of seven years from October 24, 2012.

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

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

I have further the honor to confirm on behalf of the Government of the United States of America that the foregoing is acceptable to the Government of the United States of America and to agree that your note and this note in reply shall constitute an agreement between the two Governments, which shall enter into force on the date of this reply.

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

For the Secretary of State:

A handwritten signature in black ink, appearing to read "John Kerry", written in a cursive style.

**DEPARTMENT OF STATE
WASHINGTON**

October 22, 2004

Excellency:

I have the honor to refer to the 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 Ministry of International Trade and Industry, which was reorganized into the Ministry of Economy, Trade and Industry of Japan on January 6, 2001, on the Advanced Spaceborne Thermal Emission and Reflection Radiometer (ASTER) Program, which was effected by the Exchange of Notes dated October 24, 1996 (hereinafter referred to as "the Agreement").

His Excellency

Ryozo Kato,

Ambassador of Japan.

DIPLOMATIC NOTE

I have the further honor to propose on behalf of the Government of the United States of America, in accordance with the understanding reached recently between the representatives of the two Governments, that the Agreement shall be extended for a period of eight years from October 24, 2004.

I have the further 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 shall 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:

A handwritten signature in black ink, appearing to read "John F. Sumner". The signature is written in a cursive style with a long horizontal flourish at the end.



EMBASSY OF JAPAN
WASHINGTON, D. C.

October 22, 2004

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 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 Ministry of International Trade and Industry, which was reorganized into the Ministry of Economy, Trade and Industry of Japan on January 6, 2001, on the Advanced Spaceborne Thermal Emission and Reflection Radiometer (ASTER) Program, which was effected by the Exchange of Notes dated October 24, 1996 (hereinafter referred to as "the Agreement").

I have the further honor to propose on behalf of the Government of the United States of America, in accordance with the understanding reached recently between the representatives of the two Governments, that the Agreement shall be extended for a period of eight years from October 24, 2004.

I have the further 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 shall enter into force on the date of Your Excellency's reply."

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

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

For the Ambassador Extraordinary
and Plenipotentiary of Japan



His Excellency

Colin L. Powell

The Secretary of State