

**SPACE**

**Satellites**

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

Effectuated by exchange of notes at  
Washington June 18, 2021

Entered into force June 18, 2021



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.”



**EMBASSY OF JAPAN  
WASHINGTON, D. C.**

Washington, June 18, 2021

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 recent discussions between representatives of the Government of the United States of America and representatives 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 Japan Aerospace Exploration Agency (hereinafter referred to as "JAXA") on the launch and data exchange for the two JAXA CubeSats, Equilibrium Lunar-Earth Point 6U Spacecraft (hereinafter referred to as "EQUULEUS") and Outstanding Moon Exploration Technologies Demonstrated by Nano Semi-Hard Impactor (hereinafter referred to as "OMOTENASHI") (hereinafter referred to as "the Cooperation"), which are to be developed as part of JAXA's Medium to Long-Term Plan approved and evaluated by the competent Ministers to achieve JAXA's Medium to Long-Term Goal based on the "Basic Plan on Space Policy" 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; and 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 amended; 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 April 24, 1995, and the Exchange of Notes of the same date between the two Governments concerning subrogated claims shall apply to the Cooperation, I have further the honor to

propose on behalf of the Government of the United States of America the following arrangements:

1. The Cooperation shall be conducted in accordance with the terms and conditions set forth in a Memorandum of Understanding between NASA and JAXA.
2. The Cooperation shall be conducted in accordance with the laws and regulations in force in each country and subject to the availability of appropriated funds.
3. The Government of Japan shall register the EQUULEUS and OMOTENASHI CubeSats as space objects in accordance with the Convention on Registration of Objects Launched into Outer Space, done on January 14, 1975 (hereinafter referred to as "the Registration Convention"). Registration pursuant to the Registration Convention shall not affect the rights or obligations of both Governments under the Convention on International Liability for Damage Caused by Space Objects, done on March 29, 1972.
4. NASA and JAXA shall consult with each other on any matter that may arise from or in connection with the Cooperation with a view to finding a mutually acceptable solution. If the matter cannot be resolved through such consultations, consultations between the Government of the United States of America and the Government of Japan shall be held through diplomatic channels with a view to finding a mutually acceptable solution.
5. The present arrangements shall remain in force for eleven years, unless terminated by either Government upon six months' written notice through diplomatic channels of its intention to terminate them. 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 arrangements are acceptable to the Government of Japan, this note and your note in reply shall constitute an agreement between the two Governments, which shall enter into force on the date of your note in reply."

I have further the honor to confirm on behalf of the Government of Japan that the foregoing arrangements are 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 assurances of my highest consideration.

For Ambassador Extraordinary  
and Plenipotentiary of Japan  
to the United States of America

河邊賢裕

His Excellency  
Mr. Antony J. Blinken  
The Secretary of State  
of the United States of America

**DEPARTMENT OF STATE**

**WASHINGTON**

June 18, 2021

Excellency:

I have the honor to refer to the recent discussions between representatives of the Government of the United States of America and representatives 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 Japan Aerospace Exploration Agency (hereinafter referred to as “JAXA”) on the launch and data exchange for the two JAXA CubeSats, Equilibrium Lunar-Earth Point 6U Spacecraft (hereinafter referred to as “EQUULEUS”) and Outstanding Moon Exploration Technologies Demonstrated by Nano Semi-Hard Impactor (hereinafter referred to as “OMOTENASHI”) (hereinafter referred to as “the Cooperation”), which are to be developed as part of JAXA’s Medium to Long-Term Plan approved and evaluated by the competent Ministers to achieve JAXA’s Medium to Long-Term Goal based on the “Basic Plan on Space Policy” of the Government of Japan.

His Excellency

Koji Tomita,

Ambassador of Japan.

**DIPLOMATIC NOTE**

In consideration of the continuing mutually beneficial relationship between the two Governments in the field of peaceful exploration and use of outer space; and 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 amended; 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 April 24, 1995, and the Exchange of Notes of the same date between the two Governments concerning subrogated claims shall apply to the Cooperation, I have further the honor to propose on behalf of the Government of the United States of America the following arrangements:

1. The Cooperation shall be conducted in accordance with the terms and conditions set forth in a Memorandum of Understanding between NASA and JAXA.
2. The Cooperation shall be conducted in accordance with the laws and regulations in force in each country and subject to the availability of appropriated funds.

3. The Government of Japan shall register the EQUULEUS and OMOTENASHI CubeSats as space objects in accordance with the Convention on Registration of Objects Launched into Outer Space, done on January 14, 1975 (hereinafter referred to as “the Registration Convention”). Registration pursuant to the Registration Convention shall not affect the rights or obligations of both Governments under the Convention on International Liability for Damage Caused by Space Objects, done on March 29, 1972.

4. NASA and JAXA shall consult with each other on any matter that may arise from or in connection with the Cooperation with a view to finding a mutually acceptable solution. If the matter cannot be resolved through such consultations, consultations between the Government of the United States of America and the Government of Japan shall be held through diplomatic channels with a view to finding a mutually acceptable solution.

5. The present arrangements shall remain in force for eleven years, unless terminated by either Government upon six months’ written notice through diplomatic channels of its intention to terminate them. 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 arrangements are acceptable to the Government of Japan, this note and your note in reply shall constitute an agreement between the two Governments, which shall enter into force on the date of your note in reply.

Accept, Excellency, the assurances of my highest consideration.

For the Secretary of State:

A handwritten signature in cursive script, appearing to read "Eric S. Lohman". The signature is written in black ink and is positioned below the typed name "Eric S. Lohman".