

**No. 5287**

**UNITED STATES OF AMERICA  
and  
MEXICO**

**Exchange of notes constituting an agreement relating to a  
facility for space vehicle tracking and communication.  
Mexico, 12 April 1960**

*Official texts: English and Spanish.*

*Registered by the United States of America on 4 August 1960.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
MEXIQUE**

**Échange de notes constituant un accord relatif à la création  
d'une station pour le repérage des engins spatiaux et les  
communications avec ces engins. Mexico, 12 avril 1960**

*Textes officiels anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 4 août 1960.*

No. 5287. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND MEXICO RELATING TO A FACILITY FOR SPACE VEHICLE TRACKING AND COMMUNICATION. MEXICO, 12 APRIL 1960

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I

*The American Ambassador to the Mexican Minister of Foreign Relations*

No. 995

Mexico, D. F., April 12, 1960

Excellency :

I have the honor to refer to recent discussions between our two Governments concerning the establishment and operation, for scientific purposes, of a facility for manned space vehicle tracking and communication therewith. Such facility will be established wherever the authorized representatives of our two Governments may jointly decide.

Such facility shall form part of a world-wide tracking range to be established by the Government of the United States of America in cooperation with other governments in connection with a program for the launching of a manned satellite, known as Project Mercury, by which it is planned to place in an orbital flight an Earth satellite which would be manned by a human being and subsequently recovered.

In as much as the Government of Mexico—having in mind that this is a project definitely civilian in character, without military objectives, and unrelated to programs of atomic energy—has manifested interest in participating in this scientific experiment and, therefore, in contributing toward the knowledge of man's spatial environment and its effects upon him, it is my understanding that Your Excellency's Government has decided to contribute toward the establishment of a tracking and communications facility and that the Mexican and United States representatives who were designated for such purpose have indicated as appropriate a site of 6 hectares in the vicinity of Guaymas, Sonora.

From the discussions referred to above, it develops that we have reached the following conclusions :

For the purposes of the above-described project, there is hereby created the Mexico-United States Commission for Space Tracking Observations for Project Mercury.

The Commission shall consist of two sections : The Mexican section and the United States section. Each of them shall have three members and shall serve jointly as the contact organization between the two Governments and, in

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<sup>1</sup> Came into force on 12 April 1960 by the exchange of the said notes.

a spirit of friendship which characterizes the relations between Mexico and the United States and with the scientific aims pursued, it shall be in charge of seeing to it that the project can be brought to a successful conclusion.

The facility shall be established and operated according to the following principles and procedure :

1. The scientific data obtained as the result of this unique experiment shall be made available to the scientists of all participating countries. Mexican scientists shall have ample opportunity to participate in this new and unprecedented attempt to explore the mysteries of outer space.

2. Consistent with the peaceful scientific character of this cooperative project, the Government of the United States of America is prepared to grant access on a reciprocal basis to scientists of all participating countries to visit Project Mercury stations in the United States.

3. The Government of Mexico shall make available to the Commission, without any cost to the latter and for the time hereinafter mentioned, the land selected in the vicinity of Guaymas.

4. The cost of construction, installation, material, equipment and operation of the facility, and in general all the other costs connected with the carrying out of Project Mercury, shall be borne by the United States section.

5. The Government of Mexico shall construct at its own cost three access roads within a right of way of 51 meters in length and 17 meters in width each, which will connect the facility with the local highway to Ortiz which presently passes in front of the site where the facility will be located and is connected with highway 15 of the national highway system. The type of construction and the precise dimensions of the three roads within the three rights of way will be determined by mutual agreement between the technicians to be designated by the Ministry of Public Works and the Commission, which latter may use them without any cost to it.

6. The facility shall consist of installations for an S-band radar, a telemeter, a ground to air transmitter and a ground receiver; installations for point-to-point communications to the extent that communications requirements cannot be met by local telephone and telegraph facilities; and buildings and structures for offices, storage, housing, sanitation and other similar purposes. The structures will generally be of a standard prefabricated type, transportable and removable.

7. The power for the facility shall be obtained from the nearest local plants and only if this is not possible shall it be generated at the site where adequate equipment is to be installed as part of the facility itself.

8. At the request of the Commission, the Government of Mexico shall authorize the use of the radio frequencies required for the purposes of the facility, on the understanding that the high frequency channel for ground-to-air

communications with the space vehicle shall be provided by the United States of America. All radio operations shall be conducted so as not to cause interference with Mexican installations.

9. Construction of the facility shall be carried out by the United States section, through a contractor of the United States of America, who shall employ, to the extent possible, local sub-contractors and labor, as well as materials and supplies available locally.

10. The special electronic and related equipment required for the facility shall be equipment standardized for Project Mercury and shall be installed by technicians of the United States of America.

11. The Government of Mexico, upon the request of the Government of the United States of America, shall facilitate the entry into Mexico of the material and equipment necessary for the construction, installation and operation of the facility. No tax, duty or charge shall be levied or assessed in Mexico on the material and equipment referred to in this article.

12. Title to movable material and equipment acquired by the Government of the United States of America for the construction, installation and operation of the facility, shall remain in the name of said Government. The part of this material and equipment brought to Mexico for that purpose may be exported by the Government of the United States of America at any time free of taxes and duties.

13. The Government of the United States of America assumes the responsibility that the National Aeronautics and Space Administration of the said Government will furnish the technicians necessary for the operation of the facility. The United States section shall take steps with the Mexican section to facilitate, wherever possible, the contracting and utilization of qualified Mexican personnel.

14. The facility may be utilized, unless the Commission decides to the contrary, for scientific activities of interest to the Government of Mexico, on the understanding that such activities shall be conducted in such manner as not to interfere with the schedules of operation agreed upon and that any additional costs of operation incident to such activities would be for the account of the Government of Mexico.

15. The Government of Mexico shall take the steps necessary to facilitate the admission into Mexico of the personnel designated by the National Aeronautics and Space Administration for the purpose of visiting the facility or participating in its operation.

16. a) The Government of the United States of America anticipates that it will be necessary for the facility to function until December 31, 1963. Consequently, the two Governments agree that the facility shall be operated in accordance with the principles and procedures provided herein until the aforesaid date, on which this agreement shall terminate.

b) If before the first of July, 1963, a change of conditions should alter the anticipated requirements referred to in subparagraph a) of this article, the Government of the United States of America shall have the right to terminate the use of the facility ninety days after the date on which it notifies the Government of Mexico of its intention to exercise this right. In such event, this agreement shall terminate on the date on which the facility ceases to operate.

c) If the Government of the United States of America, upon terminating the use of the facility, should desire to dispose of all or part of the materials, equipment or other items of its property, the two Governments shall enter into consultation as soon as possible within the ninety days prior to December 31, 1963, or after notice of termination of use of the facility, in order to make the necessary arrangements. In case no arrangement is made, the said materials, equipment or items shall be exported for the account of the Government of the United States of America.

17. From time to time and to the extent that the purposes and provisions of this agreement may require, supplementary agreements shall be made between the two sections of the Commission, which shall be submitted by the latter to the Governments of Mexico and the United States of America for their necessary approval.

18. In as much as the execution of this agreement from the 12th of April, 1960, to December 31, 1963, or on any intervening date, will depend, insofar as the United States is concerned, on the funds to be appropriated by the Congress of the United States of America for the operation of the facility, it is understood that said execution shall be subject to the availability of such funds.

The lapse of time between the 12th of April, 1960, on which this agreement enters into force and the 30th of June, 1961, guarantees that the facility will operate for a period which will justify any expenses incurred by the Government of Mexico.

If the principles and procedures hereinabove set forth are acceptable to Your Excellency's Government, I have the honor to propose that this note and Your Excellency's note in reply shall constitute an agreement between our two Governments on this matter, which shall enter into force on the date of your note in reply.

Accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

Robert C. HILL

His Excellency Manuel Tello  
Minister of Foreign Relations  
Mexico, D. F.

Al respecto, manifiesto a Vuestra Excelencia que mi Gobierno acepta los términos del texto anterior y considera la nota referida y la presente, como un arreglo entre nuestros dos Gobiernos, el cual entrará en vigor en esta fecha.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

Manuel TELLO

Al Excelentísimo Señor Robert C. Hill  
Embajador Extraordinario y Plenipotenciario  
de los Estados Unidos de América  
Presente

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

MINISTRY FOR FOREIGN RELATIONS  
UNITED MEXICAN STATES  
MEXICO

502663

México, D. F., April 12, 1960

Mr. Ambassador :

I have the honor to acknowledge receipt of Your Excellency's courteous note No. 995 of today's date, which reads as follows :

[*See note I*]

With respect to this matter, I inform Your Excellency that my Government accepts the terms of the foregoing text and considers the note in reference and this note as an arrangement between our two Governments, which shall enter into force on this date.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

Manuel TELLO

His Excellency Robert C. Hill  
Ambassador Extraordinary and Plenipotentiary  
of the United States of America  
City

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<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.