

No. 10145

**UNITED STATES OF AMERICA
and
NORWAY**

Exchange of notes constituting an agreement concerning seismic array research and plans for utilizing a seismic array facility to be installed and operated in Norway. Oslo, 15 June 1968.

Authentic text : English.

Registered by the United States of America on 5 January 1970.

**ÉTATS-UNIS D'AMÉRIQUE
et
NORVÈGE**

Échange de notes constituant un accord concernant la recherche sur les dispositifs sismologiques et les plans relatifs à l'utilisation d'une installation sismologique devant être mise en place et exploitée en Norvège. Oslo, 15 juin 1968

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 5 janvier 1970.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
NORWAY CONCERNING SEISMIC ARRAY RESEARCH
AND PLANS FOR UTILIZING A SEISMIC ARRAY FACIL-
ITY TO BE INSTALLED AND OPERATED IN NORWAY

I

The American Ambassador to the Minister for Foreign Affairs of Norway

Oslo, June 15, 1968

Excellency :

I have the honor to refer to recent discussions between representatives of the Government of the United States of America and the Government of Norway concerning seismic array research by our two Governments and plans for utilizing a large seismic array facility which would be installed and operated in Norway. This project, serving the mutual interest of our two countries, would be a significant contribution to seismological research, particularly in the field of detection and identification of underground events.

The proposed Large Seismic Array facility would comprise the following four phases :

Phase I. Survey using one subarray, several long-period sensors, test boreholes, and extended Lillehammer array.

Phase II. Installation of remainder of seismic array.

Phase III. Management of seismic array (in part concurrent with Phase II).

Phase IV. Termination of operation and disposition of equipment.

I understand that the Government of Norway would be willing to participate in the installation, operation and management of the seismic array facility in accordance with the provisions below.

1. The purpose of the installation is seismological research and experimentation. The system is primarily designed to produce data valuable as a means of detecting and

¹ Came into force on 15 June 1968, the date of the note in reply, in accordance with the provisions of the said notes.

distinguishing between signals originating from underground explosions and from other sources, especially earthquakes.

2. The facility may be used for independent research at the discretion of the Norwegian Government, it being understood that such activities shall be conducted so as not to conflict with the agreed schedule of operation and that any additional operating costs resulting from such independent activity will be borne by the appropriate Norwegian authorities, or as agreed by the Advanced Research Projects Agency (ARPA).

3. The Government of Norway may permit participation by other governments in the activities of the facility under appropriate arrangements for the sharing of costs and exchange of data. As soon as data of interest can be accumulated, the Government of Norway shall have the right to disseminate and transmit such data to foreign countries after notification to the United States Government.

4. Necessary land leases and access rights to individual seismometer sites, sensor and central terminal vault locations shall be acquired by the Government of Norway and made available for this project at no cost to the United States Government. The United States Government shall be responsible for all other costs involving the installation of cables and equipment, as well as any claims for damage arising from the installation, operation and maintenance of the facility.

5. To the extent that United States participation in the activities of the facility shall be dependent upon funds to be appropriated by the Congress of the United States, it shall be subject to the availability of such funds. Likewise, to the extent that Norway's participation in the activities of the facility shall be dependent upon funds to be appropriated by the Norwegian Storting, it shall be subject to the availability of such funds.

6. Taxation of salaries and emoluments of the nationals of the United States connected with this project will be subject to the Double Income Taxation Treaty of June 13, 1949,¹ as amended.² No customs duties, taxes or other charges shall be levied on the personal belongings, household effects, and automobile of a national of the United States in connection with his arrival in Norway for the purposes of this agreement, provided such effects are in the owner's possession prior to arrival in Norway, and are imported within a reasonable period after his arrival.

7. In conjunction with United States expenditures which may be involved in this project, relief from Norwegian taxes will be granted in accordance with the principles of the taxation relief agreement effected by the exchange of notes by and between the Governments of the United States and Norway of June 27, 1952,³ and with the related exchange of notes of the same date.³ The taxation relief will usually be granted by refunding the applicable amount of customs duties and taxes, except that, if it is more practical, relief may be granted directly when the import takes place.

¹ United Nations, *Treaty Series*, vol. 127, p. 189.

² *Ibid.*, vol. 346, p. 326.

³ *Ibid.*, vol. 184, p. 271.

8. The cooperating agencies of the two Governments are authorized to conclude administrative agreements to carry out the details of the project. The cooperating agency for the Government of the United States shall be the Advanced Research Projects Agency (ARPA) of the Department of Defense of the Government of the United States of America. The cooperating agencies for the Government of Norway shall be (a) the Norwegian Defense Research Establishment (NDRE) of the Ministry of Defense of the Government of Norway, for the planning, procurement, installation and testing; and (b) the Royal Norwegian Council for Scientific and Industrial Research, or another appropriate agency to be agreed upon, for the management of the facility.

The Institute of Seismology of the University of Bergen will serve as an advisory body and will be an independent user for its own research of the data supplied by the facility.

9. This agreement shall remain in force until terminated by either Government after giving one year's written notice to the other Government of its intention to terminate the agreement. Such notice may be given at any time on or after June 30, 1971.

The foregoing provisions are acceptable to the Government of the United States. I now have the honor to propose that this note and your reply confirming the agreement of the Government of Norway shall constitute an agreement between our two Governments regarding this matter, which shall enter into force on the date of your reply.

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

Margaret Joy TIBBETTS

His Excellency John Lyng
Minister for Foreign Affairs
Oslo

II

*The Minister for Foreign Affairs of Norway to the American Ambassador*MINISTÈRE ROYAL DES AFFAIRES ÉTRANGÈRES¹Le Ministre²

Oslo 15th June 1968

Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note of to-day which reads as follows :

[*See note I*]

In reply I have the honour to inform Your Excellency that this proposal is acceptable to the Government of Norway, who will regard Your Excellency's Note and this reply as constituting an agreement between our two Governments.

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

John LYNG

Her Excellency Madame Margaret J. Tibbetts
Ambassador of the United States of America
etc., etc., etc.
Oslo

¹ Royal Ministry of Foreign Affairs.

² The Minister.