

No. 18088

**UNITED STATES OF AMERICA
and
JAPAN**

**Exchange of notes constituting an agreement relating to
acquisition and production of P-3C aircraft. Tokyo,
20 June 1978**

Authentic texts: English and Japanese.

Registered by the United States of America on 14 November 1979.

**ÉTATS-UNIS D'AMÉRIQUE
et
JAPON**

**Échange de notes constituant un accord relatif à l'acquisition
et à la production d'avions P-3C. Tokyo, 20 juin 1978**

Textes authentiques : anglais et japonais.

Enregistré par les États-Unis d'Amérique le 14 novembre 1979.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND JAPAN RELATING TO ACQUISITION AND PRODUCTION OF P-3C AIRCRAFT

I

The American Ambassador to the Japanese Minister for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

Tokyo, June 20, 1978

No. 376

Excellency,

I have the honor to refer to the Mutual Defense Assistance Agreement between the United States of America and Japan signed at Tokyo on March 8, 1954,² which provides, *inter alia*, that each Government 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 representatives of the Government of the United States of America and the Government of Japan have held discussions on a program for the acquisition and production in Japan of the P-3C aircraft and related equipment and materials necessary to enhance the defense capability of Japan. The following is the understanding by the Government of the United States of America of the results of the above-mentioned discussions.

1. In accordance with the detailed arrangements to be concluded under paragraph 3, the Government of Japan will acquire or produce, and the Government of the United States of America will authorize the sale or production of up to forty five (45) P-3C aircraft and related equipment and materials.

2. The production of the P-3C aircraft and related equipment and materials will be undertaken through the participation of the industries of the United States and Japan in accordance with the principle that the economic and technological requirements of the Government of Japan are to be satisfied. The above-mentioned program will be supplemented by direct sale by the Government of the United States of America to the Government of Japan.

3. The present understanding will be implemented in accordance with the above-mentioned Mutual Defense Assistance Agreement and arrangements concluded thereunder, including the Agreement between the Government of the United States of America and the Government of Japan to Facilitate Interchange of Patent Rights and Technical Information for Purposes of Defense signed at Tokyo on March 22, 1956.³ The detailed arrangements to implement the present understanding will be concluded between representatives of the competent authorities of the two Governments.

4. Financial obligations or expenditures incurred by the Government of Japan under the present understanding and all arrangements to be concluded hereunder will be subject to budget authorization pursuant to the constitutional provisions of Japan.

¹ Came into force on 20 June 1978, the date of the note in reply, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 232, p. 169.

³ *Ibid.*, vol. 275, p. 195.

I have the honor to propose that, if the above understanding is acceptable to the Government of Japan, 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.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

[Signed — Signé]¹

His Excellency Sunao Sonoda
Minister for Foreign Affairs
Tokyo

¹ Signed by Michael J. Mansfield — Signé par Michael J. Mansfield.

[TRANSLATION¹ — TRADUCTION²]*The Japanese Minister for Foreign Affairs to the American Ambassador*

Tokyo, June 20, 1978

Excellency,

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

[See note I]

I have the honor to confirm on behalf of the Government of Japan that the foregoing understanding is acceptable to the Government of Japan 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.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

SUNAO SONODA

His Excellency Michael J. Mansfield
Ambassador Extraordinary and Plenipotentiary
of the United States of America

¹ Translation supplied by the Government of the United States.

² Traduction fournie par le Gouvernement des Etats-Unis.