

IMPLEMENTING ARRANGEMENT
BETWEEN
THE DEPARTMENT OF TRANSPORTATION
OF THE UNITED STATES OF AMERICA
AND
THE MINISTRY OF TRANSPORT
OF JAPAN
ON COOPERATION
IN TRANSPORTATION SCIENCE AND TECHNOLOGY

The Department of Transportation of the United States of America and The Ministry of Transport of Japan (hereinafter referred to as "the Parties");

In accordance with and subject to 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 on June 20, 1988, (hereinafter referred to as "the Agreement");

Recognizing that new developments in the field of transportation technology can make important contributions toward promoting, encouraging, and advancing safe, economical, efficient, and environmentally sound transportation systems; and

Desiring to promote scientific and technological cooperation and collaboration in the field of transportation;

Have agreed as follows pursuant to Paragraph 3 of Article 2 of the Agreement.

Article I

The Parties agree to undertake cooperation and collaboration in transportation science and technology on the basis of equality, reciprocity and mutual benefit.

Article II

The Parties agree that the cooperation and collaboration may include the following fields:

1. Land transportation
2. Water transportation
3. Air transportation
4. Intermodal transportation
5. Safety promotion technology
6. Shipbuilding
7. Maritime safety
8. Energy and environment
9. Transportation for the handicapped and elderly
10. Information-related technology in transportation sector; and
11. Other fields as mutually agreed

The Parties shall identify specific projects for cooperation in transportation science and technology within the above-mentioned fields. Identification of areas of cooperation and their implementation will be made, as mutually agreed by the Parties, while paying due attention to the state of art of technology regarding such projects.

Article III

The Parties agree that cooperation may be pursued through one or several methods, as mutually agreed, including, but not limited to, the following:

1. Annual meetings, alternating between the two countries, of a panel of experts from the United States of America and Japan to present progress reports and plans, including visits to facilities where research and development is conducted, and for technical discussions.
2. Exchange of technical information such as databases, publications, drawings, and photographs.
3. Exchange of experts.
4. Joint organizations of symposia, seminars, and other meetings.
5. Joint research in scientific and managerial subjects.

Article IV

With regard to the cooperative activities under this Arrangement, the Parties may allow, as appropriate, the participation of other relevant governmental agencies, researchers and organizations from all sectors of the research establishment, including universities, national laboratories, and the private sector.

Article V

In order to coordinate the cooperative activities, each Party shall designate a representative to be responsible for determining the particular directions of cooperation and for ensuring the effectiveness of exchange. The representatives of the Parties or their designated coordinators will, by correspondence, consult with each other and define the cooperative activities and other related matters. When necessary, and as mutually agreed, they shall meet to consider matters related to the implementation of this Arrangement.

The Parties shall name their respective representatives and coordinators, if appropriate, within thirty (30) days of the entry into force of this Arrangement.

Article VI

The cooperation shall be subject to the availability of appropriated funds and personnel, and to the applicable laws and

regulations in each country.

Article VII

Specific cooperative projects and activities shall be embodied in separate agreements or plans between the Parties, which will cover the subject, procedures, and terms of cooperation to be undertaken, the entities involved, funding, and other appropriate matters related to the conditions of such cooperation. Cost-sharing arrangements shall be agreed upon on a case-by-case basis.

Article VIII

The Parties shall consult, as appropriate, in respect of any matter that may arise from, or in connection with, the cooperation.

Article IX

Scientific and technical information of a non-proprietary nature derived from the cooperative activities conducted under this Arrangement may be made available to the public through customary channels and, in accordance with, the normal procedures of the Parties and other governmental entities involved in the cooperative activities.

Article X

The Parties agree with respect to the protection and distribution of intellectual property rights, created or furnished in the course of cooperative activities under this Arrangement, that they shall be bound by the provisions of Annex IV to the Agreement.

Article XI

Information transmitted by one Party to the other under this Arrangement shall be accurate to the best knowledge and belief of the transmitting Party, but the transmitting Party shall not be liable for the content or use of such information.

Article XII

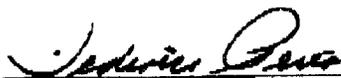
This Arrangement shall enter into force upon signature by both Parties and shall remain in force so long as the Agreement remains in force. However, either Party may at any time give written notice to the other of its intention to terminate this Arrangement, in which case this Arrangement shall terminate six (6) months after such notice has been given. Termination of this Implementing Arrangement shall not affect any activities initiated under its provisions, but not yet completed at the time of termination, unless otherwise agreed, and shall not in any way affect rights and obligations with regard to intellectual property.

The Arrangement may be amended by written agreement of the Parties.

DONE at Washington, this 10th day of February, 1994, in duplicate, in

the English and Japanese languages, both texts being equally authentic.

FOR THE DEPARTMENT OF
TRANSPORTATION OF THE UNITED
STATES OF AMERICA:



Federico F. Peña

The Secretary of
Transportation of the
United States of America

FOR THE MINISTRY OF TRANSPORT
OF JAPAN:

伊藤 茂

Shigeru Ito

The Minister of Transport
of Japan

**Memorandum of Understanding
between the Department of Transportation
of the United States of America and
the Ministry of Land, Infrastructure and Transport of Japan
to Amend the
Implementing Arrangement between
the Department of Transportation
of the United States of America and
the Ministry of Transport of Japan on
Cooperation in Transportation Science and Technology**

The Department of Transportation of the United States of America and the Ministry of Land, Infrastructure and Transport of Japan (hereinafter referred to as "the Parties");

In accordance with and subject to 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 (hereinafter referred to as "the Agreement");

Desiring to amend the Implementing Arrangement between the Department of Transportation of the United States of America and the Ministry of Transport of Japan on Cooperation in Transportation Science and Technology, signed at Washington on February 10, 1994 (hereinafter referred to as "the Arrangement");

Have agreed as follows pursuant to Article XII of the Arrangement:

Article I

"UNYU KAGAKU GIJUTSU" in the Japanese text of the Arrangement shall be amended to "KOUTSUU KAGAKU GIJUTSU".

Article II

"The Ministry of Transport of Japan" in the Arrangement shall be amended to "The Ministry of Land, Infrastructure and Transport of Japan."

Article III

"UNYU GIJUTSU" and "UNYU SHISUTEMU" in the third paragraph of the Japanese text of the Preamble to the Arrangement shall be amended to "KOUTSUU GIJUTSU" and "KOUTSUU SHISUTEMU," respectively.

Article IV

"UNYU BUNYA" in the fourth paragraph of the Japanese text of the Preamble to the Arrangement shall be amended to "KOUTSUU BUNYA".

Article V

"UNYU BUNYA" in Item 10 of Article II of the Japanese text of the Arrangement shall be amended to "KOUTSUU BUNYA".

Article VI

In Article II of the Arrangement, "2. Road transportation" shall be inserted after "1." and the remaining items shall be renumbered accordingly through item 11.

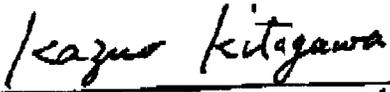
This Memorandum of Understanding shall enter into force upon signature.

DONE at Tokyo, this 11th day of April, 2005, in duplicate, in the English and Japanese languages, both texts being equally authentic.

For the Department of
Transportation of the
United States of America:


Secretary of Transportation

For the Ministry of Land,
Infrastructure and Transport of
Japan:


Minister of Land, Infrastructure and
Transport