

No. 16025

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**UNITED STATES OF AMERICA**  
**and**  
**FEDERAL REPUBLIC OF GERMANY**

**Memorandum of understanding regarding co-operation on the development of advanced ground transportation, particularly tracked, levitated high-speed transportation systems. Signed at Bonn on 12 June 1973**

**Exchanges of letters constituting an agreement amending the above-mentioned Memorandum of understanding. Washington, 23 March 1976, and Bonn-Bad Godesberg, 9 and 15 June 1976**

*Authentic texts: English and German.*

*Registered by the United States of America on 29 November 1977.*

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**ÉTATS-UNIS D'AMÉRIQUE**  
**et**  
**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Mémoire d'accord relatif à la mise au point en coopération de transports terrestres avancés, notamment de trains et aérotrains à grande vitesse. Signé à Bonn le 12 juin 1973**

**Échanges de lettres constituant un accord modifiant le Mémoire d'accord susmentionné. Washington, 23 mars 1976, et Bonn-Bad Godesberg, 9 et 15 juin 1976**

*Textes authentiques : anglais et allemand.*

*Enregistrés par les États-Unis d'Amérique le 29 novembre 1977.*

MEMORANDUM OF UNDERSTANDING<sup>1</sup> BETWEEN THE FEDERAL MINISTRY FOR RESEARCH AND TECHNOLOGY AND THE FEDERAL MINISTRY OF TRANSPORT OF THE FEDERAL REPUBLIC OF GERMANY ON THE ONE HAND AND THE DEPARTMENT OF TRANSPORTATION OF THE UNITED STATES OF AMERICA ON THE OTHER HAND REGARDING CO-OPERATION ON THE DEVELOPMENT OF ADVANCED GROUND TRANSPORTATION, PARTICULARLY TRACKED, LEVITATED HIGH-SPEED TRANSPORTATION SYSTEMS

1. The Federal Ministry for Research and Technology, the Federal Ministry of Transport, on the one hand, and the Department of Transportation of the United States, on the other, shall,

- in the knowledge that new developments in the field of transportation technology can make an important contribution towards solving transportation problems in both countries during the coming decades,
- in view of the fact that both countries are promoting comprehensive research and development work on advanced transportation technologies,
- in view of the progress made to date in the development of relevant systems, and
- in anticipation that equal advantages for both Parties will result from a link between the programs of both countries

cooperate on the further development of advanced ground transportation technologies, particularly tracked, levitated high-speed transportation systems.

2. This cooperation may include:

- the exchange of information regarding programs and projects, research results, publications;
- the exchange of scientific and technical staff;
- the joint organization of symposia or conferences; and
- the execution of joint systems analyses, scientific or technical projects.

The specific details of cooperation among the Parties will be established on a case-by-case basis by the Contracting Parties, or, if the Parties agree, by their designated agents.

3. The cooperative program shall cover, but need not be limited to, the following areas:

- the underlying traffic and transport policy assumptions as well as the consequences of the introduction of advanced transportation systems;
- the principles of the development of levitated transportation systems (magnetic and air cushion);
- fundamental questions regarding the development of linear electric motors; and
- the establishment of the optimal parameters for levitated transportation systems.

<sup>1</sup> Came into force on 12 June 1973 by signature, in accordance with paragraph 10.

4. To administer and facilitate this cooperation, each Party shall designate an appropriate official as its program coordinator within thirty days of the entry into force of this Memorandum of Understanding. These program coordinators shall:

- work out initial, specific cooperative undertakings;
- provide a point of contact for the Parties in proposing and making other detailed arrangements for program activity, including activity involving the participation of other ministries or departments, governmental agencies, or the private sector; and
- arrange for regular reviews of the status and achievements of the overall program and its component projects, to be conducted at least once a year.

5. Cooperation may involve exchanges of patent rights and industrial know-how on a reciprocal basis. To the extent that cooperation involves patent rights or the industrial know-how of third parties of which the Parties cannot avail themselves without the prior consent of such third parties, each of the Parties shall, on behalf of the other, request that this knowledge be also incorporated, as far as practicable, in the cooperation program.

6. The rights and obligations of the Parties to this cooperation program with regard to inventions resulting from such cooperation program shall be established under special agreements concluded among those concerned.

7. If no arrangement to the contrary is made in the individual case, each Party shall itself bear the costs devolving on it as a result of the cooperation.

The obligations of the Parties shall be subject to the availability of budgetary funds.

8. The Memorandum of Understanding shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the United States of America within three months from the date of entry into force of the Memorandum of Understanding.

9. The Memorandum of Understanding shall be valid for a period of five years from the date of entry into force; it may be extended by the written agreement of the Parties. Each Party may terminate the present Agreement by giving three months written notice to that effect.

10. This Memorandum of Understanding shall enter into force on the date of signature.

DONE at Bonn on June 12, 1973.

CLAUDE S. BRINEGAR  
The Secretary of Transportation  
of the United States of America

The Federal Minister  
for Research and Technology  
of the Federal Republic of Germany:

HORST EHMKE

The Federal Minister of Transport  
of the Federal Republic of Germany:

Dr. LAURITZ LAURITZEN

EXCHANGES OF LETTERS CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN THE UNITED STATES OF AMERICA AND THE  
FEDERAL REPUBLIC OF GERMANY AMENDING THE  
MEMORANDUM OF UNDERSTANDING OF 12 JUNE 1973<sup>2</sup>  
REGARDING CO-OPERATION ON THE DEVELOPMENT OF  
ADVANCED GROUND TRANSPORTATION, PARTICULARLY  
TRACKED, LEVITATED HIGH-SPEED TRANSPORTATION  
SYSTEMS

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*The Secretary of Transportation to the German Minister  
of Research and Technology*

THE SECRETARY OF TRANSPORTATION  
WASHINGTON, D.C.

Mar. 23, 1976

Dear Mr. Minister:

I refer to our Memorandum of Understanding of June 12, 1973,<sup>2</sup> regarding cooperation on the development of advanced ground transportation, particularly tracked, levitated high speed transportation systems. Despite changes during the past three years in national priorities for research on levitated systems, the program coordinators on both sides have responded well to the new situation, and have re-directed their cooperation into other areas of mutual interest and benefit. I continue to support this cooperative effort fully.

In addition, as a result of extensive work by our specialists during the past six months, a new and promising area of cooperation is under active development in the field of urban transportation technology. This work will involve binational assessments of automated guideway transit (AGT) technologies in the U.S. and the Federal Republic of Germany.

Looking ahead to the early conclusion of a specific project agreement on this subject, I think it would be desirable and useful to provide an explicit reference to the new area of cooperation within the terms of the 1973 Memorandum. I therefore propose that we amend paragraph 3 of that Memorandum by adding the sub-paragraph: Urban transportation technologies.

I also propose that this letter, together with your affirmative reply on this point, should be considered to constitute the amendment, and that the exchange of letters be regarded as an addendum to the 1973 Memorandum.

On a related point, I wish to inform you that I have now designated the Director of my Office of International Transportation Programs, the present incumbent of which is Dr. Ray W. Bronez, as the program coordinator for

<sup>1</sup> Came into force on 15 June 1976 by the exchange of the said letters.

<sup>2</sup> See p. 4 of this volume.

the US-German cooperation relationship under the 1973 Memorandum. Dr. Bronez will advise his counterparts in your Ministry and the Ministry of Transport as to the names of our program officers responsible for specific areas of cooperation.

Sincerely,

[Signed]

WILLIAM T. COLEMAN, Jr.

Honorable Hans Matthöfer  
Minister of Research and Technology  
Federal Republic of Germany

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[GERMAN TEXT — TEXTE ALLEMAND]

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

*The German Minister of Research and  
Technology to the Secretary of Trans-  
portation*

HANS MATTHÖFER  
BUNDESMINISTER  
FÜR FORSCHUNG UND TECHNOLOGIE  
BONN-BAD GODESBERG

HANS MATTHÖFER  
FEDERAL MINISTER  
FOR RESEARCH AND TECHNOLOGY  
BONN-BAD GODESBERG

9. Juni 1976

June 9, 1976

Sehr geehrter Herr Kollege,

Dear Colleague:

für Ihr Schreiben vom 23. März 1976 danke ich Ihnen.

Thank you very much for your letter of March 23, 1976.

Mit Ihnen bin ich der Auffassung, daß unser *Memorandum of Understanding* vom 12. Juni 1973 über die Zusammenarbeit bei der Entwicklung von fortgeschrittenen Landverkehrssystemen auch Stadtverkehrssysteme umfassen sollte. Deshalb stimme ich zu, den Paragraphen 3 des Memorandums zu ändern, indem dort der Sub-Paragraph *Urban transportation technologies* hinzugefügt wird.

I share your view that our Memorandum of Understanding of June 12, 1973, regarding cooperation on the development of advanced ground transportation systems should include urban transportation systems as well. I therefore agree to an amendment of paragraph 3 of the Memorandum by adding a subparagraph on urban transportation technologies.

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

<sup>2</sup> Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.

Ich teile Ihre Ansicht, daß durch unseren Briefwechsel, den ich wie Sie als Zusatz zu dem Memorandum betrachte, die Änderung konstituiert ist.

Mit freundlichen Grüßen

[Signed — Signé]

HANS MATTHÖFER

Honorable William T. Coleman, Jr.  
Secretary of Transportation  
Washington, D.C., USA

I share your view that our exchange of letters, which I, like you, consider an annex to the Memorandum, shall constitute this amendment.

Sincerely yours,

[Signed]

HANS MATTHÖFER

The Honorable William T. Coleman, Jr.  
Secretary of Transportation  
Washington, D.C., USA

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*The Secretary of Transportation to the German Minister of Transport*

THE SECRETARY OF TRANSPORTATION  
WASHINGTON, D.C.

March 23, 1976

Dear Mr. Minister:

I refer to our Memorandum of Understanding of June 12, 1973, regarding cooperation on the development of advanced ground transportation, particularly tracked, levitated high speed transportation systems. Despite changes during the past three years in national priorities for research on levitated systems, the program coordinators on both sides have responded well to the new situation, and have re-directed their cooperation into other areas of mutual interest and benefit. I continue to support this cooperative effort fully.

In addition, as a result of extensive work by our specialists during the past six months, a new and promising area of cooperation is under active development in the field of urban transportation technology. This work will involve binational assessments of automated guideway transit (AGT) technologies in the U.S. and the Federal Republic of Germany.

Looking ahead to the early conclusion of a specific project agreement with the Ministry of Research and Technology on this subject, I think it would be desirable and useful to provide an explicit reference to the new area of cooperation within the terms of the 1973 Memorandum. I therefore propose that we amend paragraph 3 of that Memorandum by adding the sub-paragraph: Urban transportation technologies.

I also propose that this letter, together with your affirmative reply on this point, should be considered to constitute the amendment, and that the exchange of letters be regarded as an addendum to the 1973 Memorandum.

On a related point, I wish to inform you that I have now designated the Director of my Office of International Transportation Programs, the present incumbent of which is Dr. Ray W. Bronez, as the program coordinator for the US-German cooperation relationship under the 1973 Memorandum. Dr. Bronez will advise his counterparts in your Ministry and the Ministry of Research and Technology as to the names of our program officers responsible for specific areas of cooperation.

Sincerely,

[Signed]

WILLIAM T. COLEMAN, Jr.

Honorable Kurt Gscheidle  
Minister of Transport  
Federal Republic of Germany

II b

[GERMAN TEXT — TEXTE ALLEMAND]

*The German Minister of Transport to  
the Secretary of Transportation*

DER BUNDESMINISTER  
FÜR VERKEHR  
BONN-BAD GODESBERG

THE FEDERAL MINISTER  
OF TRANSPORT  
BONN-BAD GODESBERG

Den 15. Juni 1976

June 15, 1976

Sehr geehrter Herr Kollege,

haben Sie besten Dank für Ihre Anregung in Ihrem Schreiben vom 23. März 1976.

Ich teile Ihre Auffassung, daß das *Memorandum of Understanding* vom 12. Juni 1973 nach wie vor eine gute Grundlage für die deutsch-amerikanische Zusammenarbeit auf dem Gebiet der fortgeschrittenen Landverkehrssysteme darstellt. Deshalb stimme ich gern Ihrem Vorschlag zu, den Abschnitt 3 des Memorandums zu ändern, indem dort der Punkt Stadt-Verkehrs-Technologien (*Urban Transportation Technologies*) hinzugefügt wird.

Dear Colleague:

Thank you very much for the suggestion you made in your letter of March 23, 1976.

I share your view that the *Memorandum of Understanding* of June 12, 1973, continues to constitute a good basis for German-American cooperation regarding advanced ground transportation systems. I therefore gladly agree to your suggestion that paragraph 3 of the *Memorandum* be amended by adding a subparagraph on urban transportation technologies.

Ich halte es ebenfalls für ein zweckmäßiges Verfahren, diese Ergänzung durch unseren Briefwechsel rechtswirksam zu machen und unsere Schreiben als Anlagen zu dem *Memorandum of Understanding* vom 12. Juni 1973 anzusehen.

Mit freundlichen Grüßen

[Signed — Signé]

GSCHEIDLE

Honorable  
William T. Coleman, Jr.  
Secretary of Transportation  
Washington, D.C., U.S.A.

I also feel that it would be expedient to make this amendment legally effective by our exchange of letters and to consider our letters annexes to the Memorandum of Understanding of June 12, 1973.

Sincerely yours,

[Signed]

GSCHEIDLE

The Honorable  
William T. Coleman, Jr.  
Secretary of Transportation  
Washington, D.C., USA