



EUROPEAN COMMISSION

Amendment
to the
Implementing Agreement
between the Department of Energy of the United States of America
and the European Commission,
for
Non-nuclear Energy Scientific and Technological Cooperation
relating to
Cooperation in the Area of Fuel Cells

Whereas:

The Department of Energy of the United States of America (DOE) and the

European Commission (EC), hereinafter referred to as the "Sides";

Noting that the Agreement for Scientific and Technological Cooperation between the United States of America and the European Commission ("the Sides"), signed on December 5, 1997, (S&T Agreement) supports cooperation in a wide range of areas of research and development;

Having signed an Implementing Agreement for Cooperation in Non-Nuclear Energy Scientific and Technological Cooperation on May 14, 2001, that is subject to, and governed by the S&T Agreement; and

Believing that the Sides continue to have capabilities which can assist each other in their effort to advance the status of research and development;

It is hereby agreed to amend the Implementing Agreement as follows:

1. The Sides agree to designate the existing Section 1 as paragraph 1 and to add the following new paragraphs to Section 1 of the Implementing Agreement, as follows:

The Sides agree to establish a framework for collaboration in the field of fuel cell technology, in transportation and stationary applications. The areas of mutual interest between the Sides are as follows:

- “a. Transportation demos, including fueling infrastructure;
- b. Auxiliary Power Units (APUs);
- c. Codes and standards including fuel infrastructure, vehicles, and APU's;
- d. Fuel choice studies and socio-economic and environmental assessment (environmental technology assessment) of critical materials availability for low temperature fuel cells;
- e. Solid Oxide Fuel Cells (SOFC) and high temperature fuel cell hybrid systems;
- f. Support Studies, including socio-economic assessment of critical rare earth materials for high temperature fuel cells;
- g. Direct methanol and Polymer Electrolyte Membrane (PEM) fuel cells for transportation and stationary applications”.

2. The sides agree to add the following new paragraphs to Section 3 of the Implementing Arrangement, as follows:

"d . The supervision of the execution of cooperation under Section 1, paragraph 2 will be carried out in accordance with this Section. Lead Coordinators of each Side shall name a Technical Coordinator. The European Commission shall name one Technical Coordinator representing DG Research, DG Energy and Transport and the Joint Research Centre.

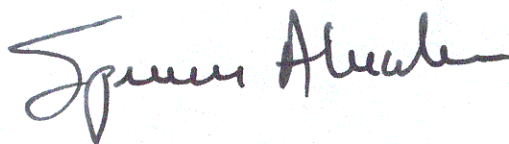
e . The Technical Coordinators of both Sides shall meet at least once a year, preferably alternatively in the United States and Europe or at such other times and places as jointly agreed, the hosting Side providing organisation and secretariat of the meetings.

f . At their meetings, the Technical Coordinators shall evaluate the status of co-operation under Section1, paragraph 2. This evaluation shall include a review of the past year's activities and accomplishments, a review of the activities planned for the coming year within each of the areas of cooperation mentioned and consideration of measures required to correct any imbalances.

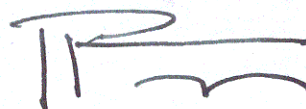
g . The Technical Coordinators shall provide an annual report on the status of cooperation under Section 1, paragraph 2 to the Lead Coordinators of the Steering Group at the anniversary date of signature of this Amendment”.

Done in duplicate in the English language at Brussels this 16 day of June, 2003.

FOR THE DEPARTMENT OF ENERGY
THE UNITED STATES OF AMERICA

A handwritten signature in dark ink, appearing to read "Spencer Abraham", written in a cursive style.

FOR THE EUROPEAN COMMISSION OF

A handwritten signature in dark ink, consisting of a stylized "R" followed by a horizontal line and a small flourish.