

SCIENTIFIC AND TECHNOLOGICAL COOPERATION

Earth Sciences

**Memorandum of Understanding
between the
UNITED STATES OF AMERICA
and POLAND**

Signed at Warsaw March 16, 2016



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“. . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

POLAND

**Scientific and Technological Cooperation:
Earth Sciences**

*Memorandum of understanding signed
at Warsaw March 16, 2016;
Entered into force March 16, 2016.*

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE U.S. GEOLOGICAL SURVEY
OF THE
DEPARTMENT OF THE INTERIOR
OF
THE UNITED STATES OF AMERICA
AND
THE POLISH GEOLOGICAL INSTITUTE - NATIONAL RESEARCH INSTITUTE
OF THE
MINISTRY OF THE ENVIRONMENT
OF POLAND
CONCERNING
SCIENTIFIC AND TECHNICAL COOPERATION
IN THE EARTH SCIENCES

ARTICLE I. SCOPE AND OBJECTIVES

1. The U.S. Geological Survey of the Department of the Interior of the United States of America (hereinafter "USGS"), and the Polish Geological Institute-National Research Institute of the Ministry of the Environment of the Republic of Poland (hereinafter "PGI") hereby agree to pursue scientific and technical cooperation in the Earth sciences in accordance with this Memorandum of Understanding (hereinafter "Memorandum").

2. The purpose of this Memorandum is to provide a framework for the exchange of scientific and technical knowledge and the augmentation of scientific and technical knowledge between the USGS and the PGI (hereinafter "Party" or "Parties") with respect to the Earth sciences.

3. This Memorandum is subject to and governed by the Agreement between the Government of the United States of America and the Government of the Republic of Poland for Scientific and Technological Cooperation (hereinafter the "S&T Agreement") signed at Washington February 10, 2006.

ARTICLE II. COOPERATIVE ACTIVITIES

1. Forms of cooperation under this Memorandum may consist of exchanges of technical information, visits, and cooperative research consistent with the ongoing programs of the Parties. Specific areas of cooperation may include, but are not limited to:

- A. Ecosystems;
- B. Climate variability and land-use changes;
- C. Energy, minerals, and environmental health;

- D. Natural hazards, risk and resilience assessments;
 - E. Water resources; and
 - F. Informatics and data integration.
2. Activities under this Memorandum shall be undertaken in accordance with the applicable laws and regulations of each Party.
3. The Parties shall encourage and facilitate, where appropriate, the development of direct contacts and cooperation among government agencies, universities, research centers, institutions, private sector companies, and other entities of the two Parties.
4. Each Party may, with the consent of the other Party and to the extent permitted by the laws and policies of each Party's Government, invite other government entities or agencies of the United States and Poland, and other entities, including scientists, technical experts, governmental agencies, and institutions of third countries or international organizations, to participate in activities undertaken pursuant to this Memorandum, subject to such terms and conditions as the Parties may specify.

ARTICLE III. AVAILABILITY OF RESOURCES

Cooperative activities under this Memorandum shall be subject to the availability of personnel, resources, and funds. This Memorandum shall not be construed to obligate the Parties to any particular expenditure or commitment of resources, funds, or personnel.

ARTICLE IV. FEE AND TAX EXEMPTION

1. In accordance with its laws and regulations, each Party shall work toward obtaining, on behalf of the other Party, relief from taxes, fees, customs duties, and other charges (excluding fees for specific services rendered) levied with respect to:

A. All transfer, ownership, construction, renovation, or maintenance of facilities or property by or on behalf of the other Party to implement this Memorandum.

B. The import, purchase, ownership, use, or disposition (including export) of goods and services by or on behalf of the other Party in support of activities under this Memorandum; and

C. Personal property of personnel of the other Party or entities of that Party implementing provisions of this Memorandum.

2. The Parties do not foresee the provision of foreign assistance under this Memorandum. If they decide otherwise with respect to a particular activity, the relevant Project Annex, as described in Article IX below, would need to be consistent with the requirements of laws of the United States and Poland that regulate activities related to foreign assistance.

ARTICLE V. INTELLECTUAL PROPERTY

The protection and distribution of intellectual property created or furnished in the course of cooperative activities under this Memorandum shall be governed by the provisions of Annex A of the S&T Agreement.

ARTICLE VI. DISCLAIMER

Information transmitted by one Party to the other Party under this Memorandum shall be accurate to the best knowledge and belief of the transmitting Party, but the transmitting Party does not warrant the suitability of the information transmitted for any particular use or application by the receiving Party or by any third Party.

ARTICLE VII. PLANNING AND REVIEW OF ACTIVITIES

Each Party shall designate a principal representative who, at such times as are mutually agreed upon by the Parties, shall meet with the other Party's representative to review the activities under this Memorandum and develop proposals for future activities, as appropriate.

ARTICLE VIII. DATA EXCHANGE

The Parties acknowledge the value of exchange of Earth observation and related activities. The Parties agree to promote the open exchange of Earth observation and related data activities within their national structures in order to provide maximum social and scientific benefits of such data.

ARTICLE IX. PROJECT ANNEXES

Any activity carried out under this Memorandum shall be agreed upon in advance by the Parties in writing. Whenever more than the exchange of technical information or visits of individuals is planned, such activity shall be described in an agreed Project Annex to this Memorandum, which shall set forth, in terms appropriate to the activity, a work plan, staffing requirements, cost estimates, funding sources, and other undertakings, obligations, or conditions not included in this Memorandum. In case of any inconsistency between the terms of this Memorandum and the terms of a Project Annex, the terms of this Memorandum shall control.

ARTICLE X. ENTRY INTO FORCE AND TERMINATION

This Memorandum shall enter into force upon signature by both Parties and remain in force until terminated at any time by either Party. Either Party may terminate this Memorandum upon ninety (90) days' written notice through diplomatic channels, to the other Party, of its intention to terminate this Memorandum. Unless otherwise agreed, the termination of this Memorandum shall not affect the validity or duration of projects under

this Memorandum that are initiated prior to such termination, and this Memorandum shall continue to apply to such projects until they are discontinued.

Signed in Reston, Virginia, and Warsaw, Poland, in duplicate, in the English language.

FOR THE U.S. GEOLOGICAL SURVEY
OF THE DEPARTMENT OF THE INTERIOR
OF THE UNITED STATES OF AMERICA:

FOR THE POLISH GEOLOGICAL
INSTITUTE – NATIONAL
RESEARCH INSTITUTE OF THE
MINISTRY OF THE
ENVIRONMENT OF POLAND:

Suzette M. Kimball
Suzette M. Kimball
Director

16 March 2016
Date

TOMASZ NAŁĘCZ
Nalecz Tomasz
Deputy Director

16.03.2016 Tomasz Nalecz
Date

NOTE: Message from U.S.G.S. in Treaty Office file indicates that final Memorandum of Understanding signed in Warsaw.