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**United States of America
and
Australia**

Memorandum of Understanding between the Department of Defense of the United States of America and the Department of defence of Australia concerning special forces equipment capability (with annexes). Tampa, 13 December 2007, and Canberra, 28 February 2008

Entry into force: 28 February 2008 by signature, in accordance with section XVIII

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**États-Unis d'Amérique
et
Australie**

Mémoire d'accord entre le Ministère de la défense des États-Unis d'Amérique et le Ministère de la défense de l'Australie concernant la capacité de l'équipement des forces spéciales (avec annexes). Tampa, 13 décembre 2007, et Canberra, 28 février 2008

Entrée en vigueur : 28 février 2008 par signature, conformément à la section XVIII

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[ENGLISH TEXT – TEXTE ANGLAIS]

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE DEPARTMENT OF DEFENSE
OF THE UNITED STATES OF AMERICA
AND
THE DEPARTMENT OF DEFENCE
OF AUSTRALIA
CONCERNING
SPECIAL FORCES EQUIPMENT CAPABILITY**

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INTRODUCTION

The Department of Defense of the United States of America (U.S. DoD) and the Department of Defence of Australia (AS DOD), hereinafter referred to as the "Participants":

Acknowledging that the Exchange of Notes Constituting an Agreement between the Government of the United States of America and the Government of Australia Concerning Certain Mutual Defense Commitments, done at Sydney on December 1, 1995 (the Chapeau Agreement) applies to this Memorandum of Understanding (MOU);

Recognizing the Agreement Concerning Security Measures for the Protection of Classified Information between the Governments of Australia and the United States of America, dated November 7, 2002 (Security Agreement);

Having a common interest in defense;

Recognizing the benefits to be obtained from standardization, rationalization, and interoperability of military equipments;

Seeking to make the best use of their respective research and development capacities, eliminate unnecessary duplication of work, and obtain the most efficient and cost-effective results through cooperation in Special Forces Equipment Capability (SFEC);

Desiring to improve their mutual conventional defense capabilities through the application of emerging technology;

Having a mutual need for the SFEC and to satisfy common operational requirements; and

Having independently conducted studies, research, exploratory development, and testing of the applications of various technologies, recognize the benefits of cooperation in SFEC;

Have reached the following understandings:

SECTION I

DEFINITIONS

The Participants have jointly decided upon the following definitions for terms used in this MOU:

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| Australian Special Operations Command (AUS SOCOMD) | The Australian Command responsible for preparing Special Operations Forces (SOF) to carry out assigned missions; planning and conducting special operations; developing SOF doctrine, techniques, and procedures; and coordinating with the Australian Army to train and equip SOF. |
| Classified Information | Official Information that requires protection in the interests of national security and is so designated by the application of a security classification marking. This Information may be in oral, visual, magnetic, or documentary form or in the form of equipment or technology. |
| Contract | Any mutually binding legal relationship under national laws that obligates a Contractor to furnish supplies or services, and obligates one or both of the Participants to pay for them. |
| Contracting | The obtaining of supplies or services by Contract from sources outside the governmental organizations of the Participants. Contracting includes description (but not determination) of supplies and services required, solicitation and selection of sources, preparation and award of Contracts, and all phases of Contract administration. |
| Contracting Agency | The entity within the governmental organization of a Participant that has authority to enter into, administer, or terminate Contracts. |
| Contracting Officer | A person representing a Contracting Agency of a Participant who has the authority to enter into, administer, or terminate Contracts. |
| Contractor | Any entity awarded a Contract by a Participant's Contracting Agency. |
| Contractor Support Personnel | Persons specifically identified as providing administrative, managerial, scientific, or technical support services to a Participant under a support Contract |
| Controlled Unclassified Information | Unclassified Information to which access or distribution limitations have been applied in accordance with applicable national laws or regulations. It includes Information that has been |