



Australian Government
Department of Defence
Strategy, Policy, and Industry Group

Office of First Assistant Secretary
Defence Trade, Regulation and
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Strategy, Policy, and Industry Group

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Jedidiah P. Royal
Principal Deputy Assistant Secretary of War
Office of the Secretary of War for Policy, Indo-Pacific Security Affairs
1400 Defense Pentagon
Washington, DC 20301-1400

Dear  Mr Royal

EXCHANGE OF LETTERS REGARDING STREAMLINING EXPORT CONTROL REQUIREMENTS BETWEEN THE AUSTRALIAN DEPARTMENT OF DEFENCE AND THE DEPARTMENT OF WAR OF THE UNITED STATES OF AMERICA

The Australian Department of Defence (ADOD) presents its compliments to the Department of War of the United States of America (U.S. DoW), together referred to as 'the Participants', and has the honour to refer to recent discussions between our governments about our shared interest in streamlining cooperation on defence projects and programs covered by international agreements and arrangements. This includes bilateral and multilateral projects and programs approved for the Australia-United Kingdom-United States (AUKUS) partnership and Australia's Guided Weapons and Explosive Ordnance (GWEO) Enterprise.

Delivering upon the strategic intent of the Australia-U.S. Ministerial Consultations in 2025, ADOD sees value in facilitating the transfer of export-controlled goods, technology and related services between the United States and Australia (Transfers) in a practical and efficient manner, in satisfaction of our respective laws, regulations, policies, and international obligations and commitments.

Accordingly, the purpose of this letter is to build upon our governments' mutual intent to maximise the use of available export control license and permit exemptions where appropriate. This includes exemptions under the United States' International Traffic in Arms Regulations (ITAR) (such as § 126.4 and § 126.7) and Australia's *Defence Trade Controls Act 2012* (including associated subsidiary instruments). These efforts will support ongoing and future work related to AUKUS and the GWEO Shared Pathway, within the scope of our respective export controls regimes.

In your response to this letter, we would be grateful for confirmation of your intention to issue appropriate guidance to relevant U.S. DoW components to maximise the use of available exemptions, including to the Defense Technology Security Administration, OUSW (A&S),

OUSW (R&E), Navy International Program Office, Deputy Under Secretary of the Air Force for International Affairs, and the Deputy Assistant Secretary of the Army for Defense Exports and Cooperation. ADOD intends to issue the similar guidance to our equivalent offices in ADOD should this proposal be amenable.

To realise the intent of these efforts in practice, we also propose that each Participant provide guidance to prospective exporters and information on the use of ITAR § 126.4, ITAR § 126.7, and Australia's *Defence Trade Controls Act 2012* (and associated subsidiary instruments) in support of projects and programs under AUKUS and the GWEO Shared Pathway. More broadly, the Participants will also ensure prospective exporters in government and industry have access to comprehensive information for the use of export control license and permit exemptions available to them in support of projects and programs under AUKUS and the GWEO Shared Pathway, including the appropriate processes for their use. This may include facilitating training and outreach activities, as mutually determined by the Participants, and to the extent permitted by the Participants' respective laws and regulations, including with respect to the availability of funds.

The Participants intend to work within their respective national systems to ensure national processes exist to coordinate on potential denials by either Participant's government of formal requests made by the other Participant's government and/or an industry partner and intend to use any these available exemptions to ensure both Participants' decisions are made consistent with the spirit of this letter.

We propose that, should the above proposals be acceptable, this letter, and a letter in reply from the U.S. DoW acknowledging said proposals, would reflect an understanding between the Participants regarding our mutual intentions concerning the subject matter of our letters. This understanding is not intended to create any rights or obligations under international law or domestic law.

Yours sincerely



Mr David Nockels
First Assistant Secretary Defence Trade, Regulation and Industrial Collaboration
Strategy, Policy, and Industry Group
Department of Defence

18 February 2026