

No. 12998

**UNITED STATES OF AMERICA
and
SAUDI ARABIA**

Memorandum of Understanding concerning the Saudi Arabian National Guard modernization program. Signed at Djidda on 19 March 1973

Authentic texts: English and Arabic.

Registered by the United States of America on 23 January 1974.

**ÉTATS-UNIS D'AMÉRIQUE
et
ARABIE SAOUDITE**

Mémoire d'accord relatif au programme de modernisation de la garde nationale saoudienne. Signé à Djeddah le 19 mars 1973

Textes authentiques : anglais et arabe.

Enregistré par les États-Unis d'Amérique le 23 janvier 1974.

MEMORANDUM OF UNDERSTANDING¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF SAUDI ARABIA CONCERNING THE SAUDI ARABIAN NATIONAL GUARD MODERNIZATION PROGRAM

The Government of the United States and the Government of Saudi Arabia have reviewed:

1. The Agreement between the Government of the United States and the Government of Saudi Arabia relating to military procurement assistance effected by an exchange of notes on June 18, 1951² as implemented by the Agreement effected by an exchange of notes on June 27, 1953;³

2. The Agreement between the two Governments relating to construction of military facilities effected by an exchange of notes of May 24 and June 5, 1965;⁴

3. The continuing desire of the two Governments for mutual cooperation to enable the Government of Saudi Arabia to maintain its internal security, its legitimate self-defense, and contribute to defense of the region of which it is a part;

4. The desire of the Saudi Arabian Government to modernize its National Guard to improve its capability to ensure public order and to preserve the security of the Saudi Arabian Government and people; and

5. The need to develop and to execute an agreed plan of action under which the technical and supervisory assistance of the United States Government can most effectively contribute to the modernization of the Saudi Arabian National Guard.

In consequence and in accordance with this review, the Government of the United States and the Government of Saudi Arabia do hereby agree as follows:

I. TECHNICAL AND SUPERVISORY ASSISTANCE TO BE PROVIDED BY THE U.S. DEPARTMENT OF DEFENSE

The Department of Defense of the United States will, as mutually agreed provide on a reimbursable basis under the Foreign Military Sales (FMS) Program technical and supervisory assistance to appropriately designated officials of the Government of Saudi Arabia in connection with:

A. Preparation of a National Guard Modernization Plan to cover such functions as organization, training, procurement, construction, maintenance, supply and administrative support.

B. Development and administration of training programs.

C. Procurement of facilities, materials, equipment and services necessary to implement the Plan.

D. Supervision of the design and construction of training, maintenance, supply and communications facilities, and other facilities related thereto, as necessary to implement the Plan.

¹ Came into force on 19 March 1973 by signature.

² United Nations, *Treaty Series*, vol. 141, p. 67.

³ *Ibid.*, vol. 212, p. 335.

⁴ *Ibid.*, vol. 548, p. 285.

E. Management of the establishment and operation of training, administrative and logistic support elements.

II. SALE OF DEFENSE ARTICLES AND SERVICES

The Department of Defense of the United States will, as mutually agreed:

A. Provide defense articles and services related to the Saudi Arabian National Guard Modernization Program to the Government of Saudi Arabia on a reimbursable basis under the Foreign Military Sales (FMS) Act, subject to a continued U.S. legislative authorization. Major items currently anticipated to be procured under this program include: small arms, artillery, vehicles, communications equipment, ammunition and other items. Major services expected to be provided under this program include the development, construction, management and initial operation of communications, training, logistics and maintenance support facilities and services related thereto. These services will be carried out by United States commercial firm or firms selected by and under contract to the Department of Defense of the United States in accordance with established FMS procedures. Insofar as practicable, all major and supporting defense articles will conform with United States Government specifications. Procurement of all defense articles and services will be executed by appropriate Letters of Offer and Acceptance (DD Form 1513).

B. Schedule the deliveries of the above articles and services in close coordination with designated officials of the Government of Saudi Arabia and in accordance with the overall National Guard Modernization Plan.

C. To the extent practical, undertake to combine production for Saudi Arabian defense articles and equipment with production for U.S. requirements so as to gain maximum cost savings for the Government of Saudi Arabia.

III. GENERAL PRIORITIES OF IMPLEMENTATION

A. Initial emphasis for program implementation under this memorandum of understanding shall be given to planning for the modernization of the organization and equipment of six mechanized infantry companies (equivalent to two battalion-sized units) of the Saudi Arabian National Guard; with initiation of training of these units based on existing weaponry and equipment; the early provision of modernized small arms and related equipment and ammunition; improvement of communications systems throughout the Saudi Arabian National Guard and the planning and construction of training, administrative, logistics and supporting facilities.

B. Subsequent priorities for Program implementation shall be developed by mutual agreement between the Government of Saudi Arabia and the Government of the United States of America.

IV. The Saudi Arabian Government and Saudi Arabian National Guard, recognizing that mutuality of effort and responsibility are requisite for success of the project, undertake therefore to carry out the following funding, staffing and supporting services:

A. The Government of Saudi Arabia will be responsible for payment of all defense articles and services procured for this program on the "Dependable Undertaking" basis set forth in section 22 of the Foreign Military Sales Act.

B. The Government of Saudi Arabia will be responsible for the necessary planning, programming, priority establishment, recruitment and selection processes which are required to provide qualified manpower to meet the expanding require-

ments of the overall National Guard Modernization Program, and to provide all such other supporting facilities and services as are required for this program, and which are practicable.

C. As a means of ensuring the success of the modernization program, the Saudi Arabian Government will give it priority over any other project for improvement of the National Guard which may be initiated.

V. PRIVILEGES AND IMMUNITIES

Military personnel and civilian employees, and the dependents of such personnel and employees of the United States Government, present in Saudi Arabia in connection with this program, shall be accorded the privileges and immunities accorded to members of the United States Army Corps of Engineers and their dependents pursuant to part VII of the Agreement between our two Governments concerning construction of military facilities, dated May 24/June 5, 1965. For other than Corps of Engineers personnel and for purposes of this Memorandum of Understanding, the Senior United States Military representative for this program in Saudi Arabia shall assume the functions performed by the senior representative of the Corps of Engineers under part VII of the aforementioned agreement.

VI. GENERAL PROVISIONS

A. This Memorandum of Understanding is executed in the English and Arabic languages, each text being equally authentic.

B. The Chief, Saudi Arabian National Guard and the U.S. Ambassador as the representative of the Secretary of Defense, or their delegated representatives will meet at least annually to review the progress of this program in the context of total United States/Saudi Arabian Cooperation.

C. Either Government may request a program review meeting at appropriate intervals.

D. This Memorandum of Understanding may be terminated upon six (6) month written notice to either party.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding on 19th day of March 1973, which is 14 Safar 1393 H.

For the Government
of the United States of America:

[Signed]

By: NICHOLAS G. THACHER

Title: American Ambassador

For the Government
of Saudi Arabia:

[Signed]

By: Prince ABDULLAH IBN ABDUL AZIZ

Title: Commander in Chief
Saudi National Guard