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Authorized By: H. D. Llewellyn
August 4, 1975 *Hay*

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MEMORANDUM FOR THE PRESIDENT

Xr.
140.5611

Subject: **Bilateral Agreements Under the Atomic Energy Act in Implementation of the NATO Atomic Stockpile Concept.**

I enclose a summary of the present status of our NATO stockpile negotiations in so far as our present planning for atomic cooperation agreements with Germany, Greece, the Netherlands and Turkey is concerned. The timing with respect to these atomic cooperation agreements is a matter of particular concern to us.

/S/ CHRISTIAN A. HERTER
Acting Secretary

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Enclosure:

Bilateral Agreements Under the Atomic Energy Act in Implementation of the NATO Atomic Stockpile Concept.

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**Bilateral Agreements Under the Atomic Energy
Act in Implementation of the NATO Atomic
Stockpile Concept.**

You will recall that the essence of the NATO Atomic Stockpile concept is the provision of atomic capability for NATO forces with United States custody and control of the warhead as required by law. To implement this concept two types of agreements are required between the United States and the country for the forces of which weapons are being supplied: (a) a "stockpile" agreement which covers such items as introduction of United States custodial and training personnel, logistic support, costing, control and use arrangements; (b) a bilateral government-to-government agreement under the Atomic Energy Act. This latter type of agreement provides for the transmission of Restricted Data and equipment necessary for the training of the host country forces and is an essential part of the stockpile arrangement since the atomic capability of the host country forces can not be achieved without an agreement of this nature. After your approval of the text has been secured, agreements for atomic cooperation of this sort must lie before Congress, in session, sixty days before becoming effective. A prerequisite of such an agreement is a satisfactory security finding with respect to the host country facilities.

Security surveys by the interested United States agencies have been made of Germany, Turkey, the Netherlands and Greece with indications that in each instance the facilities of the host country will meet the required standard. With Germany and Turkey we have signed stockpile agreements (to remain classified) to provide for the availability, if need be, of weapons for their forces; the Netherlands and Greece have approved in principle negotiating such arrangements with us, and we hope to reach early agreement with them. Therefore, in view of the likelihood of the security requirements being met, we are negotiating atomic cooperation agreements with Germany, Turkey, the Netherlands and Greece with a view to early conclusion. The agreements themselves are largely technical and we do not consider them to be controversial.

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Once these completed agreements have been sent to the Joint Committee on Atomic Energy to lie before Congress for the required sixty days they will in all likelihood become public knowledge as soon as they are submitted, or shortly thereafter. Therefore we are anxious to complete the agreements to arrange for their submission to Congress as soon as possible in order that the public attention attracted to them may have subsided before the opening of the Foreign Ministers' Meeting on May 11. We would hope also to divert public attention from the agreement with Germany by having the first announcement of these agreements come in the form of a generalized statement covering a number of countries made by a high NATO figure (perhaps Secretary-General Spaak or General Norstud) concerning this further evidence of progress in the implementation of the December 1957 Heads of Government decision.

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