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JUL 28 1960  
*Handwritten:* King for JYM  
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TO: M - Mr. Merchant

THROUGH : S/S

FROM: EUR - Ivan B. White *IBW*

SUBJECT: John Millar's Trip to Visit NATO Atomic Stockpile Sites.

You will recall that after General Norstad expressed objections to John Millar's proposed visit to NATO atomic stockpile sites, we told Millar on July 6 that we would accede to General Norstad's wishes in the circumstances. You subsequently sent Ray Thurston a letter (Tab B) giving him our reaction to the cancellation of the trip and stating our views on the Department's role in regard to arrangements for the custody and control of US atomic weapons stockpiled abroad for NATO forces. Thurston has just replied to your letter (Tab A).

Some of the points made in Thurston's letter are not entirely accurate as to fact. The trip was not hastily arranged, or without proper coordination with Defense. It was discussed carefully both in the Department and with Defense. You will recall that on June 20 you wrote to Jack Irwin to inform him about the trip and to request Defense to pave the way (Tab C). As a result of your letter, Defense sent a telegram to CINCEUR on June 22 (Tab D) requesting appropriate assistance for Millar, as the Department's action officer on atomic stockpiles, to visit representative stockpile sites. We did not present the trip as a "policing" exercise by State or labor the Department's responsibilities for NATO custodial arrangements, but it was clear to all concerned that Millar was to visit NATO atomic stockpile sites in connection with his Department responsibilities in this field. We are somewhat at a loss to understand why Thurston and General Norstad were completely unaware of the proposed trip until June 30, since there was the June 22 Defense telegram and Millar wrote to Dick Finn (POLAD to CINCEUR) on June 15 outlining his plans. We wonder why Finn did not raise the matter with Thurston at that time after receipt of Millar's letter, but have not pointed this out to Thurston in the hope of avoiding any further recrimination.

4 The other points in Thurston's letter seem to stem from an unfortunate misunderstanding about what Millar, with the authority of the Department and Defense, was trying to do. It appears that Thurston erroneously feels that General Norstad's authority is being challenged and his judgment being called into question. This is, of course, absolutely the contrary of what was intended. The trip, as you pointed out to Thurston in your letter of

July 11,

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July 11, was purely and simply an effort by the Department officer with immediate responsibility for NATO stockpile arrangements to gain some first hand information about this complex subject; no one conceived of it as designed to provide information on which to base Departmental policy. It was hoped that a visit to NATO sites would increase the competence and background of the officer most immediately concerned in the Department and would enable us to ask Defense intelligent questions about custody arrangements for US atomic weapons abroad, a matter of undoubted interest to the Department.

It is difficult for us to understand Thurston's argument that our NATO allies would be puzzled or concerned if a State Department officer were to visit US support sites for non-US NATO forces. We doubt that our NATO allies consider arrangements for the storage of US nuclear weapons for the support of allied forces of no legitimate interest for the State Department. If the officer visiting such sites did so with discretion and good judgment, we find it hard to believe that allied sensibilities would be irritated.

The fact that Thurston and Norstad were not brought into the picture until about the time of Millar's arrival in Paris doubtless contributed to their reaction that the trip was an attempt to police General Norstad's conduct of the stockpile program. That this was not intended is so obvious and basic as to require no serious refutation.

I do not recommend that you reply to Thurston's letter, but that if General Norstad should mention the trip to you during his forthcoming visit to Washington you might note to him some of the points made above as well as in your letter to Thurston of July 11.

Attachments:

1. Tab A - Letter to Mr. Merchant from Thurston, July 20.
2. Tab B - Mr. Merchant's letter to Mr. Thurston, July 11.
3. Tab C - Mr. Merchant's letter to Mr. Irwin of June 20.
4. Tab D - Defense telegram to CINCEUR 979077.

Clearances:

RA - Mr. Magill *[Signature]*

*[Signature]*  
EUR:RA:AGJames:nle  
7/28/60

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*Alan James*

*(20)*

OFFICIAL-INFORMAL

American Embassy, SHAPE/L,  
Paris, France,  
July 20, 1960.

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Dear Livie:

I have discussed your letter of July 11 with General Norstad and though what follows is my own rendition, it faithfully represents our joint views on the problem raised by Jake Millar's abortive trip to NATO atomic stockpile sites.

In the first place, I must point out that it was not until the day that Millar left Washington for Europe (June 30) that we here received a copy of his letter of June 24 to Dick Finn at EUCOM, outlining his ideas about a tour of Allied atomic sites in this area. An earlier routine telegram to CINCEUR gave no inkling of the purpose of his journey, and as he said in his letter to Finn, "It (the telegram) is not quite as forthcoming and explicit as it might have been, but I hope it will be sufficient to do the job." He also ended the same letter with the rather interesting warning that, "Needless to say, much of the foregoing is extremely delicate, particularly with Defense since in a way we are feeling our way along with them right now with respect to our responsibilities concerning the legal provisions for maintaining custody." As a matter of fact, when Jake and I went into this rather thoroughly during his visit here, it clearly emerged that no one in Defense had been approached in a forthright manner regarding the real purpose of Millar's journey. It was for this reason that I suggested that if he wished to pursue his venture, he should telephone his colleagues in the Department with a view to their arranging for the dispatch of a cable from the appropriate elements in Defense (Irwin, Gates or JCS) to Larry Norstad to put his journey on a truly State-Defense

basis.

The Honorable  
Livingston T. Merchant,  
Under Secretary for Political Affairs,  
Department of State,  
Washington.

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basis. He followed my suggestion, but the result was negative; that is, it did not appear that the Department at this time wished to push the matter with Defense. I go into all this detail because you stress in your letter that the trip had the approval of Defense. I regret that our impression here was that the Millar journey had been rather hastily arranged and not properly coordinated with Defense. At the least, it had not been coordinated with the principal field commander concerned, to wit, General Norstad.

The so-called NATO atomic stockpile was, as you recall, conceived by Norstad in early 1957 as a measure which would within the framework of existing United States law and policy increase the over-all military effectiveness of the Alliance on the one hand, and, on the other, serve a broad political purpose in enabling our Allies to play a role in the modern (atomic) defenses of NATO. JCS was cold to the proposal, and it was not until the Sputnik pulled us out of accustomed grooves in October 1957 that the United States and, later, at the December 1957 meeting of NATO Heads of Government, the Alliance as a whole sanctioned the establishment of this special ammunition storage program. Because he had fathered the idea, both the Departments of State and Defense looked to Norstad for a lead on the practical and legal procedures which should be instituted to make the NATO atomic stockpile a reality. The bilateral stockpile arrangements we have with several NATO countries (and are in the process of negotiating with others) all find their origin in SACEUR's military requirements and are specifically concluded at the request of SACEUR after he makes preliminary soundings with the countries concerned. In other words, from the viewpoint of the Alliance the United States has acted pursuant to SACEUR's recommendation in concluding these bilateral arrangements. On the other hand, as CINCEUR, Norstad has the direct U.S. responsibility for the physical arrangements at stockpile sites and thus a clear-cut accountability through the U.S. line of command to JCS, the Department of Defense and the President, and, of course, to the appropriate committees of Congress.

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Given the role he has played in these matters, Larry is naturally sensitive to both the Allied and U.S. aspects of the problem posed by the kind of visit envisaged for Jake Millar. The U.S. support sites for non-U.S. NATO forces are located within non-U.S. military areas, and it is highly unlikely that visits to the U.S. custodial groups by State Department personnel would go unnoticed by our European friends. Norstad is rightly concerned about Allied sensibilities in this respect. He does not feel the same way about visits to U.S. atomic storage for the support of U.S. forces, and it was suggested to Jake Millar that he might wish to further his acquaintances with the technical side of the problem by visiting such sites. I believe that his subsequent journey to SETAF in Italy was made with this end in view. To recapitulate, while the custodial arrangements at these NATO storage sites definitely remain a U.S. responsibility, there is an over-all NATO sensitivity about the stockpile arrangements which impels us to question the desirability of State Department visits to the sites. Putting it precisely, what will our foreign friends make of such visits and what do we tell them, if anything?

Turning to the purely United States side of the affair, there can be no questioning the need to ensure that the physical and legal aspects of these stockpile arrangements be fully in keeping with American laws and policy. I should like to say parenthetically, I have met few highly-placed Americans who personally believe as firmly as firmly as does General Norstad in the essential wisdom of our current policy and law insofar as they tend to inhibit the pace of development of independent national military power outside the United States. Now I suppose that any Government official, civilian or military, bears along with the legislative and judicial branches of our Government a responsibility for faithful compliance with the law of the land and has a degree of accountability to the extent that he is involved in given official actions. But leaving aside this lawyer's paradise, it does seem to us from this vantage point that within the Executive Branch itself there are certain governing practical considerations. As we understand your letter, the Department is seeking an independent basis for determination as to whether these stockpile arrangements are in fact compatible with United States policy and law. As Jake Millar put it in his letter of June 24, ".....we (the

Department)

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must assume some responsibility for insuring that the provisions of the law are being met; and that we cannot take the position that once the (bilateral) agreements are negotiated, their implementation is entirely Defense's responsibility." Jake went on to say that no one in the Department knows the arrangements at any given site, and you quite correctly point out that the Pentagon leaves the detailed arrangements in the hands of the field commanders.

Though it is not the Department's stated intention that Millar's trip or future trips of this kind be, or seem to be, policing operations, it certainly suggests interesting possibilities in this regard. Apart from the problem posed by the direct confrontations to which you have recently been subjected on the Hill before the Joint Committee on Atomic Energy, I note that Millar's letter of June 24 reflects a good deal of informal chit-chat between working-level Departmental officers and the Joint Committee staff. Does the Department really wish to subject itself to detailed inquiries in this field? Is there any real basis for doubt that Defense and the Commander in Chief of the United States Forces in Europe are not mindful of their responsibilities in this sphere? Is the relationship between the Department and Defense in Washington such that the detailed information needed for background purposes cannot be elicited there? And, if the Department is bent upon exercising an independent though admittedly secondary supervision over these matters, is it prepared to develop its own means of assuring the requisite current flow of up-to-date information about the physical arrangements which exist at the various NATO atomic stockpile sites? I suppose that if we get into the business, others on the civilian side might wish to follow, including the staff of the Joint Committee. Perhaps I oversimplify the situation, but when on the one hand I look at our bilateral agreements which provide for U.S. military custody of weapons or, in the case of the 144(b) agreements, for U.S. military to implement the necessary atomic training to Allied forces, and, on the other, consider the overwhelming fact that it is only the military who can really know from day to day what is really going on in this particular endeavor, I find it difficult to see why the Department should feel impelled to accept this inappropriate burden. When the means of adequately discharging a responsibility do not appear to be available, as in this case, legalistic argumentation is pretty unconvincing.

Having said

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Having said all this, Larry Norstad asked me to assure you that he does not wish to obstruct the onward march of progress and that he is, of course, prepared to abide by clear-cut directives in Washington, by which in this case he means a fully-agreed State-Defense position. Given the history of the NATO atomic stockpile and certain practical and legal considerations, he has been proceeding on the assumption that he was the most responsible character in this scenario and that if either State or Defense were unhappy with his stewardship or wished fuller information for Congressional accountability purposes, he would get the considered word and be guided thereby. He is, therefore, a bit unhappy about some of the implications of the Millar trip and its background, and looks forward to having an opportunity to discuss this matter inter alia with you when he next visits Washington, probably in early August.

I am sorry to have made this such a long letter. However, it appears that in this particular case we are approaching the same problem or radically different wave lengths, hence the "fuller explanation department".

Sincerely,

Raymond L. Thurston

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July 11, 1960

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Dear Ray:

We were sorry that General Forstad objected to Jake Miller's proposed trip to NATO atomic stockpile sites, but we thought it best in the circumstances to defer to his wishes.

It was certainly not our intention that the trip be or seen to be a policing operation. As you know, the trip had the approval of Defense and we noted no hesitancy on their part to a Departmental officer making it unaccompanied by a Defense representative.

While the Defense Department has primary responsibility for the formulation and administration of detailed arrangements for handling of weapons, we do have an inescapable responsibility for the Agreements under which the weapons are deployed and for being able to maintain our position vis-a-vis other countries that atomic weapons are in fact kept in our custody. We must be able to make our own decision as to the appropriateness and legality of the projects within the framework of United States policy and law. It is essential that officers directly involved in the Department have sufficient understanding of these arrangements to be able to exercise this responsibility effectively. While much of the information we need should be available from the Pentagon, the responsible military officers of the services concerned frequently appear content to leave the detailed arrangements entirely in the hands of the field commanders, and this sometimes makes it difficult to obtain a clear picture here. In any event, I am sure you will agree that there is no substitute for first hand observation in a field as complex as this one.

A better understanding by the Department of this subject has recently become a particularly urgent requirement in view of the

interest of

Ray L. Thurston, Esquire,  
Counselor of Embassy,  
American Embassy,  
Paris.

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interest of the Joint Committee in these arrangements as they apply to new weapons systems such as GENIE and ground-based missiles. The Department along with Defense has recently testified before the Joint Committee on custody questions.

At this time we have no precise plans for other Departmental representatives to familiarize themselves with custody arrangements, but our requirement continues, and in due course we will be in touch with you about a possible reconnaissance trip. We would welcome your comments or those of General Norstad on Hillar's trip and possible future trips by Department officers. We would, of course, make every effort to ensure that such trips created no unfortunate impressions.

Sincerely yours,

Livingston T. Marchant  
Under Secretary for Political Affairs

EUR:RA:AGJames:bpw  
7/8/60

Clearances:

L -

RA - Mr. Magill

S/AE - Mr. Farley

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*July*  
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Dear Jack:

One of our officers, John Y. Millar, who is Officer-in-Charge of Political-Military Affairs in RA, is going to Europe on business at the end of the month. He will be in England, France, Germany, Italy and probably Turkey. He is the action officer on atomic stockpiles, and while he is abroad we would like him to familiarize himself with representative installations. He will be going to Paris about July 1 and would plan to stop in at EUCOX anyway. He could make arrangements there to visit a few sites in Germany and Italy, as well as in Turkey. In England he would be in touch through the Embassy with Third Air Force and the Seventh Air Division, as appropriate.

If you agree, would you be good enough to pave the way for him as necessary?

Sincerely yours,

Livingston T. Merchant

The Honorable  
John N. Irwin, II,  
Assistant Secretary of Defense  
for International Security Affairs,  
Department of Defense.

EUR:RA:JYMillar:bpw

6/20/60

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RA - Mr. Fessenden

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INFO				X			
FROM: OSD WASH D C						SPECIAL INSTRUCTIONS	
TO: USCINCEUR PARIS FRANCE						Dist:	
SECRET DEF <del>XX</del> 979077 From OASD/ISA.						OSD/ISA <i>Wm</i> =	
John Y. Millar, State Dept, arrives Paris about 1 July						AE	
primarily connection other matters. Will visit France, England, Germany, Italy and probably Turkey.						State	
Is action officer in State on atomic stockpiles and desires familiarize himself with representative installations.							
Request cooperation make such visits as necessary above purpose.							
						DATE 22	
						TIME	
						MONTH June	
						YEAR 60	
SYMBOL OSD/ISA/FMRA				SIGNATURE			
J.W. Chapman, Col, USAF				<i>J. W. Chapman</i>			
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PHONE 54871				Colonel, USAF			
PAGE NR 1				Deputy Director, Office of			
NR OF PAGES 1				Foreign Military Rights Affairs			
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*J.W. Millar*  
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