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DEPARTMENT OF STATE
ASSISTANT SECRETARY
EUR

SECRET

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XR-3240
3243

RM/R

To: The Secretary

Through: The Under Secretary
S/S

From: EUR Foy D. Kohler

Subject: Executive Branch Position on Further Negotiation of Pending Atomic Cooperation and Atomic Stockpile Agreements

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Problem

The Congressional hearings on the Agreement with Italy for Atomic Cooperation and the studies now being made in the Executive and Legislative Branches on deployment of United States nuclear weapons abroad make it essential to clarify immediately the position of the Executive Branch with respect to the further prosecution of negotiations now under way on the agreements for atomic cooperation with France and Belgium and on the atomic stockpile agreements with Italy and the United Kingdom. It would also be desirable to decide whether to press ahead with interagency discussion on an atomic information agreement with NATO as an organization to replace the agreement concluded in 1955.

Discussion

A. Atomic Cooperation Agreements

Standard atomic cooperation agreements, similar to the one concluded with Italy and previously concluded with Germany, Greece, Turkey and the Netherlands, are now under negotiation with France and Belgium. In the case of France, negotiations were started in April 1960; with Belgium in December 1960. The negotiations with France have produced no substantive differences between the French and ourselves. We are now awaiting French reaction to certain minor changes we wish made in the French text of the draft agreement. If, as we expect, the French reply favorably in the near future we will soon be in a position to seek authority for the agreement to be initialled. In the case of Belgium, we are waiting to receive the Belgian reaction to the US draft. We believe that in the case of the Belgian Agreement there will be no major difficulties, and that it too will be ready for initialling in a short time.

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We think it is desirable to proceed with these negotiations with all deliberate speed. The two Agreements, like similar agreements for cooperation concluded with other NATO allies, are only permissive.

Presidential

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Presidential*determinations must be made before US atomic information may be passed to the recipient countries. Implementation of these agreements can therefore be carried out as, in the judgment of the Executive Branch, circumstances warrant. To suspend or deliberately delay the negotiation of these two agreements would prove embarrassing in our relations with both countries. We do not consider it desirable to slow down the momentum which has developed in implementing the 1957 NATO Heads of Government decision. On the contrary, we ought to be in a position to implement them as soon as it appears desirable to do so in the light of the studies on nuclear weapons deployment currently under way in the Executive Branch and the Congress.

For more than two years the Department, with Defense and AEC, has been considering the negotiation of a new atomic information agreement with NATO. A new agreement is needed to permit the transmission to NATO of the information authorized by the 1958 amendments to the Atomic Energy Act. Defense and General Norstad have both stated that there is a pressing military requirement for the early conclusion of this agreement. A draft agreement has been prepared by Defense and approved by the Department. We intend shortly to transmit it to AEC for their concurrence in its negotiation with NATO. It would also be desirable, in our view, to press ahead with interagency action looking toward the opening of negotiations with NATO. Negotiation of such an agreement, which like those noted above is only permissive, will be a protracted procedure at best. Further delay in starting negotiations would not appear to be in the best interest of the United States.

B. Stockpile Agreements

Atomic stockpile agreements are now being negotiated with Italy and the United Kingdom. The Italian Agreement has been under negotiation since July 1959. A major point of difficulty with the Italians is the question of the payment of certain costs which under similar agreements with other NATO countries have been assumed by the host nation; these costs Italy insists that the US bear. Since May 1960 the US has been considering the Italian position on these costs. In the near future we hope to be able to reply to the Italians. We attach importance to this agreement since it will not only set the framework for US nuclear support for Italian NATO forces but will also regularize the present informal arrangements under which US nuclear weapons are deployed in Italy for use by US forces. We think that as soon as a State-Defense position can be worked out on the costs question and certain ancillary matters the US should reply to the Italian counter proposal of May 1960 and that negotiations should proceed.

In the case of the United Kingdom, negotiation of an umbrella agreement was started in July 1960. This agreement is designed to establish the

basis

*But the President has delegated ~~to DOD~~ and AEC authority to proceed if they are in agreement.

basis for US nuclear support of UK NATO forces wherever stationed as well as of NATO forces of third countries stationed in the UK. The British have recently submitted a counter-draft to the US draft which is now under study by the Department and Defense. It will shortly be incumbent upon us to reply to the British. There is a clear and urgent military requirement for this agreement; in particular, British Army of the Rhine units over a year ago received Honest Johns and the stockpile agreement is required to provide the basis for establishing stocks of US nuclear weapons in support of these units.

As in the case of the atomic cooperation agreements referred to above, the stockpile agreements under negotiation are important to carry forward the 1957 Heads of Government decision. In our opinion it would be undesirable and indeed embarrassing to suspend these negotiations. On the contrary we think we should conclude the agreements with Italy and the UK as promptly as possible, without however pressing either Government. The implementation of these two stockpile agreements might, of course, await the propitious time in the light of the various studies now under way in the Executive and Legislative Branches.

Recommendations:

1. That the negotiations with France and Belgium on atomic cooperation agreements be carried forward by the US without deliberate delay;

Approve DR 3/10/61

Disapprove _____

2. that there be no conscious delay in preparing a US position for negotiation of a new atomic information agreement with NATO to replace the 1955 agreement;

Approve DR 3/10/61

Disapprove _____

3. that the atomic stockpile agreements under negotiation with Italy and the United Kingdom be prosecuted without deliberate delay on the part of the US;

Approve DR 3/10/61

Disapprove _____

4. that, if queried by the Joint Committee on Atomic Energy at the hearings on the Italian atomic cooperation agreement about our plans for

 pending or

pending or future negotiations, the Department spokesman reply to the Committee in the sense of the recommendations 1 through 3 above, adding that implementation of all five agreements herein discussed would of course be subject to the current studies now in progress in the Executive and Legislative Branches with respect to the deployment of US nuclear weapons abroad.

Approve NR 3/10/61

Disapprove _____

Concurrences:

S/AE - Mr. Courtney

L - Mr. Pender

EUR:RA:AGJames:bpw
2/27/61

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