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HISTORY OF THE CUSTODY AND DEPLOYMENT OF NUCLEAR WEAPONS (U)

JULY 1945 THROUGH SEPTEMBER 1977



PREPARED BY
OFFICE OF THE ASSISTANT TO THE SECRETARY
OF DEFENSE (ATOMIC ENERGY)
FEBRUARY 1978

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MEMORANDUM FOR UNDER SECRETARY OF DEFENSE RESEARCH
AND ENGINEERING
CHAIRMAN, JOINT CHIEFS OF STAFF
ASSISTANT SECRETARY OF DEFENSE (ISA)
ASSISTANT SECRETARY OF DEFENSE (PA&E)

SUBJECT: History of the Custody and Deployment of Nuclear Weapons

Attached is an update to the subject document that was originally transmitted by the ATSD(AE) on 7 April 1976. It contains a narrative of developments and updates of appendices and maps for Fiscal Years 1976 and 1977. A list of page substitutions is also provided.

It is requested that superseded pages be destroyed as soon as possible due to the sensitivity of the material contained therein.

Milton E. Key
Major General, USA
Deputy Assistant to the Secretary
of Defense (Atomic Energy)

Attachments

1. List of Page Substitutions (Unclas)
2. History Update (TSRD)

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P R E F A C E

(U) This history provides the reader with a basic understanding of how we arrived at our present posture in nuclear weapons in order that he may be better able to cope with the problems of the future. It traces the evolution of the custody, deployment authorizations, and dispersals of nuclear weapons from July 1945 through September 1977. It illustrates, as factually as possible within data collection sources, the development of, and statistical data associated with, the United States nuclear force.

(U) The material was derived from the records of the Office of the Assistant to the Secretary of Defense (Atomic Energy), the Joint Staff and the Defense Nuclear Agency. Every effort was made to reconcile disparities in numbers; however, due to different accounting procedures particularly prior to 1961, there are some minor conflicts pertaining to individual totals by weapon authoritative accounts of the Defense Nuclear Agency and the Energy Research and Development Administration (now Department of Energy).

(U) Many of the key individuals who were intimately involved in the policy discussions and decisions are no longer available to provide a first-hand account of the happenings. It was therefore necessary to borrow liberally from many sources, most of whom are identified.

(U) This history does not reflect the opinions or views of the Department of Defense.

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CHAPTER 1

INTRODUCTION

(U) On Friday the 13th of July, 1945, at the site of Project Trinity near Alamogordo, New Mexico, Brigadier General T. F. Farrell, deputy for General Leslie R. Groves, signed a receipt for the active material and handed it to Dr. Louis Slotin who was in charge of the nuclear assembly. Dr. Slotin was to be one of the first casualties of a nuclear accident. He died a year later on May 31, 1946 as a result of an excursion during a critical experiment at Los Alamos Laboratory. The acceptance of this receipt constituted the formal transfer of Plutonium 239 from the scientists of Los Alamos to the Army to be expended in the test explosion. Thus, the first transfer of the nuclear components of an atomic weapon was conducted. It was not until 14 years later that the Department of Defense gained full custodial rights for all atomic weapons dispersed to Army, Navy and Air Force storage sites. During these intervening years, the legal and the philosophical struggle for custody of nuclear weapons was waged between the Atomic Energy Commission and the Department of Defense.

(U) On the one side was the conviction that custody of nuclear weapons in peacetime should lay in the civilian hands of the AEC. The military and the DoD, on the opposite side, were convinced that military preparedness demanded not only the positioning of nuclear weapons with or near the delivery units but also the transfer of custody of these weapons to full control of the military.

(U) Over the years we have progressed from an initial scarcity of uranium ore and weapons to the point where there is an abundance of fissionable materials and extensive stockpiles of sophisticated nuclear weapons and delivery vehicles. The problems of managing a small number of weapons located at a few sites in the United States pale by comparison with the multitude of tasks associated with the storage, handling, transportation, access, and safety of thousands of nuclear weapons located at hundreds of locations worldwide. The need for quick reaction by complex nuclear delivery systems coupled with reliable, swift release procedures is not by any means compatible with the requirements for safety and protection against

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inadvertent detonation or launch. Thus, the controversies and problems were not only between the AEC and DoD but within the DoD itself, at times, between the Executive Branch and Legislative branches of the government and, lastly, between the U.S. and its allies.

~~(SFRD)~~ It is interesting to note that as late as January 1969, there existed a problem of custody of Nike Hercules nuclear warheads for the air defense of the United States. The National Guard of the various states manned over fifty percent of the active CONUS air defense units. Present at each of these sites was a U.S. custodial detachment which controlled access to the warhead arming plug. The National Guard units could not have custody of the nuclear warheads even though they were under the operational control of the North American Air Defense Command. They were not employees of the Department of Defense and therefore could not be given custody of the warheads.

(U) During the years between July 13, 1945 and the present there occurred major changes in national security policies as well as in the technology and quantity of nuclear weapons. The attempted takeover of Greece by the Communists in 1947, the 1948 Berlin crisis, the Soviet nuclear capability in 1949, the Korean conflict in 1950 and the developing cold war, among other factors, governed the evolution of the concepts of custody and control of nuclear weapons.

(U) To say that the issue of civilian versus military control of atomic energy had been a burning acrimonious issue for years would be an understatement of classic proportions. An indication of the intensity of one view is given by Byron Miller in his article "A Law is Passed.... The Atomic Energy Act of 1946" in the 1948 Summer edition of the University of Chicago Law Review.

"To many, this was a simple choice between war and peace. To others, advocacy of civilian control was a means of preventing 'brass hat' abuse of our precious asset, atomic energy. To many scientists, the issue was posed in related terms: military control meant a continuance of arbitrary decisions, uncomprehending bureaucracy, and an intellectual gap which the military officers showed little interest in bridging. To a few historically-minded souls, the issue was one of democratic tradition--the armed forces with their essentially authoritarian training and discipline would not be adequately responsive to the public will."

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(U) The military, on their part, did have definite opinions as to the competence of exclusive civilian control, particularly in the field of atomic weaponry. They could well point with pride to the spectacular success of the military operated Manhattan Engineer District (albeit autonomously operated). Their views in this area are well documented (although not as colorfully stated) in subsequent developments.

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CHAPTER 2

THE BEGINNING--AEC CONTROL

1946 to 1950

(U) During the fall of 1945, in the consideration of the Atomic Energy Act of 1946 (McMahon Act), a proposal to permit active military officers to serve on the part-time governing Board of the AEC and as the Board's full-time Administrator and Deputy Administrator was contained in the May-Johnson bill. This proposal was soundly defeated and the McMahon Act was passed which established a full-time civilian five-man Atomic Energy Commission, a civilian General Manager and a congressional Joint Committee on Atomic Energy. Under the law, the AEC was responsible for the development, manufacture and custody of atomic weapons and other military applications of atomic energy. The President, however, did have the authority to transfer or delegate any of these functions to the military departments. Military participation in the atomic energy program was provided by the establishment of a Military Liaison Committee (MLC) to provide a two-way channel of communication between the military and the civilian AEC. The MLC had been created by Senator Arthur Vandenburg's amendment to the McMahon Act. Senator Vandenburg had stated "in my opinion it will not be satisfactory if there is anywhere a single closed door to the military liaison or congressional committee. The responsibility is too great." The MLC was to be the interface between the AEC and the military on policy matters. The McMahon Act also stipulated that the post of Director of the AEC Division of Military Application (DMA) would be filled by a military officer. Thus, participation in the atomic energy program was afforded to the military and Congress.

(U) The McMahon Act emphasized the development of the peaceful uses of atomic energy though it did not slight the military uses. It was thought that civilian control would be more efficacious in soliciting the cooperation and participation of the scientific community as well as providing a better image to the international community. Lastly, there was the fundamental constitutional concept that control of this new and awesome force should be vested in civilian hands directly responsible to the President.

(U) With the passage of the Atomic Energy Act of 1946 (Public Law 585) and the issuance of Executive Order 9816 in implementation of the Act, all atomic weapons and material of the Manhattan Project became the property of the Atomic Energy Commission. The Armed Forces Special Weapons Project (AFSWP) was established by means of a memorandum from the Secretary of War and the Secretary of the Navy to the Chief of Staff, Army, and the Chief of Naval Operations. Dated 29 January 1947, this memorandum was retroactive to 1 January 1947. There was no Secretary

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of Defense until the office was established under the National Security Act of 1947. The first Secretary of Defense, the Honorable James V. Forrestal, took the oath of office on 17 September 1947. On 21 October 1947 he issued a memorandum addressed to the Chief of Staff, Army; the Chief of Naval Operations; and the Chief of Staff, Air Force, regarding AFSWP. This order was almost identical to the one issued by the Secretaries of War and Navy on 29 January 1947 except for such changes as were necessary to include the recently created U. S. Air Force and its Chief of Staff.

(U) The organization was placed under the command of General Leslie Groves and given the responsibility for representing all the services in the military application of atomic energy. It was designed to serve as an operational link between the AEC and the services much the same as the MLC provided at the policy level. The AFSWP operated at Sandia Base without a charter until July 8, 1947. The charter agreed to by General Eisenhower, Army Chief of Staff, and Admiral Nimitz, Chief of Naval Operations, restricted the authority of General Groves to policy and staff functions, certain special weapons ordnance work and training of military personnel. Air Force participation in the AFSWP was anticipated in this charter but was not forthcoming until after July 27, 1947, the date the National Security Act was signed by the President.

(U) In the period from the enactment of the Atomic Energy Act of 1946 until the spring of 1950, there was a serious and continuing consideration of the desirability of DoD custody of atomic weapons and the problems connected therewith. Sandia Base became the initial focal point for the question of custody of nuclear weapons and fissionable material. The AEC considered that the question of custody of weapons and parts had been clearly settled by the executive order which transferred the atomic energy program from the Manhattan District to the AEC. The existing stockpile of weapons was transferred from the control of the Manhattan District to the AEC during the last few weeks of 1946. From December 1946 to May 1948 the Secretary of the Navy and the Chiefs of the Army and Air Force expressed their views in favor of the desirability of transferring custody of atomic weapons from the AEC to the Armed Forces.

(U) Obviously an agreement between the AEC and the AFSWP on the division of responsibilities was necessary. Various solutions were proposed ranging in degrees of complexity. General Groves made a simple suggestion that the Commission and the Secretary of Defense request the President to transfer all the weapons to the services. General McCormack of the AEC's Division of Military Application (DMA) proposed to let the Sandia Base Commander and the senior AEC official, Carroll L. Tyler, manager at Los Alamos, arrange the details upon receipt of a short directive.

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(U) The Military Liaison Committee under the chairmanship of Brigadier General Brereton believed that the military needed instant access to the weapons and that the present arrangement did not provide for this. They tried to enlist the support of Army Chief of Staff Eisenhower, Secretary of the Army Royal and Secretary of the Navy Sullivan. Only the Navy offered positive support. Despite this, General Brereton wrote to the Chairman of the AEC, Mr. Lilienthal, on November 12 that "in order to insure that all interested agencies of the Armed Forces are prepared at all times to use the available bombs, it is necessary that they have actual custody of the completed weapons." The AEC was asked to provide formal comments on the proposal.

(U) The same subject was raised a week later by Admiral Solberg, a member of the MLC, with Lilienthal. The Chairman believed that the Commission exercised custody as a result of an executive order. Any change in custodial arrangements would have to be authorized by the President. Lilienthal was not overly impressed by the military's argument that they would not have instant access to the weapons for use and even if they did, they could not rely on the weapons because they had no experience in handling, storing or maintaining them. He countered with a complaint that the Commission was not informed about a forthcoming training exercise involving nuclear weapons to be conducted by AFSWP and the Air Force, and consequently had no opportunity to send observers. The Admiral was also informed that the Commission expected better treatment in the future.

(U) The MLC proposal in the meantime was sent to General McCormack of DMA and eventually wound up on Dr. Bradbury's desk at Los Alamos for comment. Dr. Bradbury, Director of Los Alamos and the AEC "Z" Division at Sandia Base, opposed the philosophy of the AEC producer-Military user concept. He believed the weapons in the stockpile were too complicated for the military to maintain. The relationship between AFSWP and the AEC personnel at Sandia Base left much to be desired with suspicion and distrust on both sides.

(U) In early February, 1948, Carroll Wilson presented a study on the question of custody to the General Advisory Committee of the AEC. The study concluded that the AEC should retain custody for the present but would reopen the issue the next year. The Advisory Committee agreed that there were valid technical reasons for not transferring the stockpile to the military at that time.

(U) Meanwhile Secretary Forrestal was reorganizing the MLC. The new charter for the committee called for a civilian Chairman and two representatives from each military department. General Brereton was replaced by Mr. Donald F. Carpenter who had been a vice-president of the Remington Arms Company. Mr. Carpenter had been importuned to accept the job by the service secretaries and Lilienthal at a Pentagon dinner on March 5. He finally accepted that night and the way was now clear to move on another front. General Groves had retired at the end of February and this fortuitously (as far as Lilienthal was concerned) made it possible to find a military man who would be more compatible with the Commission.

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(U) General Kenneth D. Nichols, Assistant to General Groves, was Lilienthal's choice. The Czechoslovakian crisis, culminating in Jan Masaryks' death, had accentuated the need for closer teamwork between the Commission and the military. This requirement was pointed out to Nichols, Lilienthal and Secretary of the Army Royal by President Truman at a meeting in the White House on March 11, 1948, concerning the appointment of General Nichols as head of the AFSWP.

(U) The issue of custody was being pushed to the fore. As the crisis grew in intensity, General Nichols, the three secretaries of the services and the Joint Chiefs of Staff pressed Forrestal to present the issue to the President. In another aspect, the necessity for a rapid "emergency transfer" of weapons was recognized by all. By the middle of April, Wilson could report at a meeting with Lilienthal and Carpenter that emergency transfer arrangements had been completed, training of military technicians at Sandia had been accelerated and that generally there had never been such an air of rapport between the military and AEC at Sandia.

(U) The possibility of a meeting at Sandia to discuss custody was mentioned by Carpenter at the meeting and subsequently in his report to Forrestal who thought it was a good idea. The meeting between the new MLC membership and the Commissioners took place at Sandia Base and Kirtland Air Force Base, Albuquerque, New Mexico, and Los Alamos the week of May 24, 1948. The first two days were spent observing the training of military technicians and visiting storage facilities at Albuquerque. Dr. Bradbury opened the discussion at Los Alamos the third day citing the technical reasons why military custody was illogical. The present weapons were complex, and had to be inspected, tested and maintained. This surveillance of the weapons not only assured reliability but also could lead to improvement developments with highly skilled personnel. Bradbury believed that the military were incapable of becoming qualified in recognizing the need for, and developing improvements in the weapons. It therefore followed that custody should remain with the technically qualified civilians of the AEC and that effective procedures for emergency transfer be worked out jointly.

(U) General Nichols presented the service views the next day (Thursday) at Sandia. The main points were:

a. The weapons must be readily available in an emergency and under control of a single military command.

b. The men, who would use the weapon in battle, must have handled, assembled, and repaired the weapon if there was to be any reliability to the weapon.

(U) Carpenter thought he saw a logical compromise between the two positions. He believed that the military had demonstrated that they could perform all of the functions involved in custody except developmental surveillance. The AEC would be given access to the weapons for this purpose. He told Nichols to draft a memorandum

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covering the discussions and conclude it by a joint recommendation to the President that the stockpile to transferred to the military.

(U) During these considerations on 26-27 May 1948, the term "custody" was presented to the Atomic Energy Commission by the Military Liaison Committee as involving the following responsibilities:

(1) Accountability of weapons and components both nuclear and non-nuclear.

(2) Physical protection of weapons and components in storage.

(3) Operational and routine inspection.

(4) Repair of components where necessary and when within the capabilities of the custodian.

(5) Making weapons available for training of combat personnel through inspections, drills, and operational maneuvers.

(6) Making weapons available for continued scientific observation and study to develop improvements in the design, methods of storage or use of the weapons.

(U) The memorandum which Carpenter had requested General Nichols to draft summarized the reasons for requiring transfer of weapons to the Department of Defense as follows:

".....

"Just as the Commission has statutory responsibilities, the Military Establishment under the direction of the Commander-in Chief, has by the Constitution and laws of the United States, clearly defined responsibilities to provide for the defense of the United States. This involves preparation of suitable war plans and the maintenance of an effective fighting force in readiness.

"In order effectively to carry out the responsibilities of the Military Establishment, experience has shown that unity of command is essential. There must be a clear chain of authority originating with a single individual, the Commander-in-Chief, acting with the advice of such bodies as the National Security Council, the War Council, the Joint Chiefs of Staff and others. This chain should run straight and clean from the Commander-in-Chief to the basic units which will be called upon to fight. Wherever a division occurs or wherever a single function is to be controlled by two masters, there is room for failure to act on an essential matter -- not necessarily from irresponsibility nor from willful neglect but from confusion or lack of full understanding as to what must be done and by whom.

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"Unity of command must necessarily include control over material -- the implements without which a fighting force cannot be effective. This is manifested in a number of ways. In order to integrate logistic and operational plans, the planners must know exactly the location, state of readiness and physical condition of weapons and men, and the same type of knowledge is essential in order to provide in the best possible manner for adequate defense of storage depots. Moreover, flexibility must exist in order that storage of weapons may be arranged to fit military requirements. In addition, there are many intangibles which in the aggregate are extremely important. One of the most important of these is complete familiarity with the particular weapons to be used. The user must know what the weapons look like, how to handle them, their state of readiness and the extent to which minor alterations or repairs may be made without impairing their effectiveness. And he must have the confidence which comes only from complete familiarity with both components and test equipment so that he can be completely certain that they will operate effectively."

(U) The memorandum was discussed at a special meeting of the MLC and the AEC Commissioners on June 18, Chairman Lilienthal refused to budge and no agreement could be reached. A week later at a meeting with Secretary Forrestal and MLC Chairman Carpenter, Mr. Lilienthal admitted only that the Commission could not maintain custody of weapons deployed to military bases overseas. Five days later, as a result of the Soviet blockade of Berlin on June 24, the President ordered a group of B-29 bombers to England and West Germany. The delivery vehicles were now overseas, the weapons were in the States.

(U) Secretary Forrestal made a strong bid in recommending to the President that weapons be transferred to the custody of the Department of Defense. By his letter of July 21, 1948, based upon the recommendations of the Army, Navy, Air Force and Joint Chiefs of Staff, Secretary Forrestal urged the President to advise the Atomic Energy Commission that delivery to the armed forces of stockpiled atomic weapons would be directed. This recommendation was denied by the President who, essentially, concurred with the AEC Chairman's recommendation.

(U) According to Secretary Forrestal, the President had informed him that it might be possible to reexamine this issue at a later date, perhaps after the fall elections. On July 24, 1948, the President declared in the course of a public statement on the occasion of the release of the fourth Semi-Annual Report of the Atomic Energy Commission. His statement is quoted below:

"As President of the United States, I regard the continued control of all aspects of the atomic energy program, including research, development and the custody of atomic weapons, as the proper function of the civil authorities. Congress has recognized that the existence of this new weapon places a grave responsibility on the President as

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to its use in the event of a national emergency. There must, of course be very close cooperation between the civilian Commission and the Military Establishment. Both the military authorities and the civilian Commission deserve high commendation for the joint efforts which they are putting forward to maintain our nation's leadership in this vital work."

(U) In a letter received by Secretary Forrestal on August 6, 1948, the President reiterated his position by stating the "I do not feel justified ... to order the transfer of the stockpiles to the armed services." In his formal reply the President explained that he did not feel justified in exercising his authority under the provisions of the Atomic Energy Act of 1946 to order the transfer of the stockpile to the armed services. He stated that his decision was based on considerations of public policy, the necessarily close relation between custody and weapon research, the efficiency of existing methods of custody, and surveillance, and the general world situation.

(U) However, at this point it is worth noting that the National Security Act of 1947, strengthened civilian control of the armed forces by providing in the Declaration of Policy that:

".....it is the intent of Congress to provide....three military departments.....to provide for their authoritative coordination and unified direction under civilian control..."

(U) In addition , after establishing a National Military Establishment and providing that the Secretary of Defense shall be the head thereof, (Section 201) the Act further provided in Section 202 that:

"There shall be a Secretary of Defense who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: PROVIDED, That a person who has within ten years been on active duty as a commissioned officer in a regular component of the Armed Forces shall not be eligible for appointment as Secretary of Defense." This concept of civilian control has been carried through and reemphasized in subsequent amendments to the National Security Act.

(U) As a result of the President's decision, efforts were concentrated within the Department of Defense, with the assistance of the Atomic Energy Commission, to improve to the maximum, the plans for emergency transfer of weapons. The plans were exercised, reviewed and revised as necessary to maximize efficiency and speed using the complicated transfer machinery and assure that weapons were made available to the armed forces and placed in usable position in the shortest possible time.

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(U) Also, the Armed Forces Special Weapons Project was directed by the three Service Chiefs to "take steps to train sufficient personnel to enable the National Military Establishment to assume full custody and surveillance as soon as possible, if and when the President authorizes the transfer of such responsibilities to the Department of Defense."

(U) All weapons including both nuclear and non-nuclear components remained in custody of the Atomic Energy Commission except for short periods for maneuvers and training by the military until the Spring of 1950. An Agreement Between the Atomic Energy Commission and the Armed Forces Special Weapons Project on Storage Site Operations and Maintenance, which was concluded in May of 1949, delineated the responsibility assigned to the military and AEC personnel at sites in this regard.

(U) The dispute over custody was not the only dispute during these early years. The euphoria generated by the end of hostilities in 1945 had been quickly overwhelmed by the sobering developments in East-West relations in 1947. The threat of Soviet aggression in 1947 increased the demands for more weapons as well as the need for better rapport and communications between the AEC and the military, in particular the Military Liaison Committee. A draft Presidential stockpile directive for calendar year 1947 was prepared by the AEC staff and the Secretaries of War and Navy and approved by the Commission on March 27. It declared that the JCS and service secretaries believed the "the present supply of atomic weapons...not adequate to meet the security requirements of the United States." They further urged that the production of weapons receive first priority.

(U) At a meeting in the White House on April 3, 1947, for the purpose of briefing President Truman on the existing stockpile situation, the President was shocked to learn that the nuclear stockpile was so small (and that none of the bombs had been assembled nor were there competent teams available for assembly). The number of weapons available (about 13) was left blank on the report but provided orally to the President by Chairman Lilienthal. The meeting ended on that grim note. The question turned to which had first priority, reactors for the peacetime application of atomic energy or new weapons for war. It was not until a year and a half later however that it became possible to make any large increases in the stockpile. Secretary Forrestal had become convinced after the Berlin crisis of 1948 that nuclear weapons offered the cheapest means of buying security. Mass production of large quantities of smaller and lighter weapons was now technologically possible and both Secretary Forrestal and General Nichols shared the belief that a substantial increase in the number of weapons were needed as a cornerstone for our national security.

(U) In the past, the projected stockpile had not been based on the number of nuclear weapons required for strategic nuclear warfare but rather on the present and planned AEC production capacity. Independent studies, analyses and targeting plans, however, now justified the need for a substantial increase in production to meet the new requirements for weapons sent by the Chairman MLC to the Commission on May 26, 1949. Mr Lilienthal viewed the military requirements as arbitrary and not based

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on solid military and political evaluations. He was wary of the requirements of the Joint Chiefs of Staff and Louis A. Johnson, Forrestal's successor, did not assuage Lillienthal's apprehensions.

(U) After much maneuvering by the DoD, the AEC, the JCAE and the Bureau of the Budget, President Truman ordered the executive secretary of the National Security Council, Admiral Souers, to review all plans for production of nuclear materials and weapons. The Secretary of Defense would comprise a special committee to assist Admiral Souers in the study.

(U) The study had been completed in draft form when President Truman announced on September 23, 1949 that evidence of a Soviet nuclear explosion on August 29, had been detected by the U. S. The reaction in Congress was predictable. The push was on for more weapons, which was exactly what the draft report to the President had recommended.

(U) To Lillienthal, however, the conclusion that a substantial increase in the production of nuclear weapons was needed in the interest of national security was not justified by any supporting evidence available to the AEC. This was the conclusion of the military and not of State and AEC. Where there had been hope that State and AEC would participate with Defense in determining the need for weapons by the establishment of the special committee, there now was apprehension that Secretary of Defense Johnson had no intention of allowing State and AEC to enter into military planning. The push for increased production received additional emphasis with the advent of the Korean conflict nine months later.

(U) Returning now to custody, there was, by 1950, no doubt of technical competence in surveillance, inspection and maintenance activities by the military because the military was, in fact, performing these functions at that time. As a demonstration of this technical competence the military now performed such functions as inspection, acceptance, surveillance and routine maintenance of stockpile items at the operating storage sites. This work was performed by personnel of the AFSWP drawn from the Army, Navy and Air Force, under AEC supervision. The AFSWP had been organized in the manner of a technical field service and a special weapons depot system for support of the operational units. There were approximately 1,500 trained personnel available for this purpose.

(U) An example of military participation in custodial operations with the Atomic Energy Commission was at Site BAKER, a permanent storage site for stockpiled weapons. There were eleven AEC personnel and approximately 500 military. The military personnel consisted of two assembly teams of 77 technically qualified men each, 140 to 150 additional technical and administrative personnel and approximately 200 security personnel. In addition to training activities and supporting military maneuvers involving atomic weapons, the AFSWP personnel performed surveillance, inspection, maintenance, conversion,

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and retirement functions for the Commission. Based on the previously mentioned agreement between the Department of Defense and the Atomic Energy Commission, this pattern had been pursued since June 1949. The same pattern was then in effect at all storage sites on a similar basis. The Atomic Energy Commission was not at that time staffed to perform the necessary functions without military assistance and had no plan for other arrangements. The military assistance was in both non-nuclear and nuclear activities.

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CHAPTER 3

THE PERIOD OF TRANSITION

1950 - 1952

(U) The establishment of a National Military Establishment with its concept of civilian control of the Department of Defense, and the demonstrated proficiency of the AFSWP in participating with and assisting the AEC in nuclear and non-nuclear activities "greased the skids" for the next phase in the evolution of control of atomic weapons.

(U) The MLC recommended to the Joint Chiefs of Staff that the Department of Defense should have operational control of the operational storage sites and non-nuclear components including war reserve kits and spares at the operational sites. A month and a half later in a letter to Mr. Early, the Chairman of the MLC, Mr. LeBaron, advised him that the AEC was considering a staff study which recommended that the AEC obtain the concurrence of the President to "transfer of custody of stockpile of non-nuclear components of atomic bombs to the Department of Defense", and "delegation of responsibility for routine maintenance of nuclear components of stockpile atomic weapons to the Department of Defense." The JCS supported the AEC recommendation to DoD provided that the terms would be mutually agreed to by DoD and the AEC.

(~~SECRET~~) The onset of the Korean War gave rise to grave doubts within the DoD concerning our military posture particularly in Europe. The JCS requested permission to store non-nuclear components in England. Only the nuclear capsules would then have to be moved from the States. This proposal was discussed in a meeting on June 10 between the AEC and the MLC. Mr. Robert LeBaron, the MLC Chairman, convinced the AEC Commissioners that they should request the President to authorize the transfer of those components to the military and the storage in the United Kingdom.

(~~SECRET~~) The next day, Defense Secretary Johnson and AEC Chairman Gordan Dean met with President Truman who approved the request. Twenty days later the President authorized the transfer of additional non-nuclear components to Guam and the aircraft carrier, [REDACTED]

(CFRD) In view of the seriousness of the world situation at the time it had been decided to deploy additional medium bomb wings at overseas locations. By having non-nuclear components readily available to these units, the initial strikes against their assigned targets could

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be mounted in a much shorter time, and the time schedule for subsequent attacks could be advanced. The nuclear components could be flow to these units by fast air transport. In addition, airlift was becoming more critical due to the situation in the Far East and the reduction in airlift required to implement the strategic air offensive by storing non-nuclear components with the deployed units would result in an important saving. [REDACTED] was equipped to carry and maintain atomic bombs, and AJ-1 aircraft with an atomic weapon capability were scheduled to operate from this ship.

(SFRD) Before the end of the year [REDACTED] non-nuclear components had been moved to the United Kingdom, [REDACTED], and [REDACTED] to Guam. Eleven non-nuclear components were aboard [REDACTED] when it deployed to the Mediterranean in September, 1950. By agreement among the military services the components deployed to operational bases overseas or aircraft carriers were under the accountability and security responsibility of the service concerned, while necessary functional surveillance was performed by its units subject to technical direction and control by the Armed Forces Special Weapons Project. The nuclear components for these weapons remained in the custody of the Atomic Energy Commission in the Continental United States.

(U) This transfer of non-nuclear components of atomic weapons by no means satisfied the requirement of the Department of Defense that forces and weapons be placed in strategically sound locations and that the divided and overlapping responsibilities in the field of military material and operations be eliminated. The transfer, however, did partially eliminate a most difficult problem of logistical movement of material to strategic locations.

(SFRD) The readiness program necessitated storage of non-nuclear components aboard other CVB class carriers, equipped similarly to the [REDACTED] when the vessels were operating outside continental limits of the United States.

(SFRD) When the [REDACTED] in the Mediterranean, it also had non-nuclear components aboard. This action had been approved by the President on 6 December 1950. Subsequent, the [REDACTED] was loaded under similar conditions with non-nuclear components in May of 1951. Here, also, the nuclear components remained in the custody of the Atomic Energy Commission in the United States, to be transferred to the ship by air upon approval of the President.

(U) The legal basis for the transfer was Section 6 of the Atomic Energy Act of 1946 which provided that:

"The President may from time to time direct the Commission to deliver such quantities of fissionable materials or weapons to the armed forces for such use as he deems necessary in the interest of national defense."

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(U) The following is quoted from a memorandum from the General Counsel for the Department of Defense to the Chairman, Military Liaison Committee, dated 10 April 1950:

"Section 6(a) of the Atomic Energy Act of 1946 provides that the Commission is authorized to do research and development work in the military application of atomic energy and to engage in production of atomic bombs, bomb parts and other military weapons utilizing fissionable materials at a rate determined by the President. This Section further provides, however, that "The President from time to time may direct the Commission (1) to deliver such quantities of fissionable materials or weapons to the armed forces for such use as he deems necessary in the interest of national defense or (2) to authorize the armed forces to manufacture, produce, or acquire any equipment or device utilizing fissionable material or atomic energy as a military weapon. The House Committee Report paraphrases subsection (2) of the above quoted language as follows: '(2) To authorize the armed forces to manufacture, produce or acquire any equipment or device capable of making use of fissionable material or peculiarly adapted for making use of atomic energy as a military weapon.' It seems clear from the foregoing that the President may direct the Commission to transfer atomic bombs or parts thereof to the Department of Defense and there is no provision of law which would prevent the Department of Defense from receiving weapons and parts so transferred."

(U) On 14 June 1950, the President had approved the permanent transfer of 90 MK 4 non-nuclear assemblies to the armed forces for training. This transfer was based on a requirement established by the Chief, Armed Forces Special Weapons Project, for

"a. AFSWP training programs for assembly organizations stationed at Sandia Base and Sites Able, Baker and Charlie. The ability of these assembly organizations to produce properly assembled bombs at a rate not less than that called for by war plan schedules can be proved only by frequent actual performance of continuous assembly work for several days on bombs in stockpile condition.

"b. USAF and USN training requirements for their respective atomic bomb assembly and delivery organizations.

"c. A desire on the part of the Department of Defense to determine combat readiness of the atomic stockpile."

These non-nuclear assemblies were transferred to the Armed Forces Special Weapons Project and since they were not transferred for operational purposes, they are not believed subject to further consideration here.

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(U) The transfer of nuclear components from the AEC to the DoD, however, is to be one of the major historical issues. AEC Chairman Dean believed (as did all the Commissioners) that the AEC was responsible for safeguarding nuclear material and, that in the exercise of this responsibility, the authority of the AEC would extend to weapons in the custody of the DoD. It was also the general AEC belief that the Chairman along with the Secretaries of State and Defense would be able to present their views to the President on any JCS request for transfer of nuclear weapons or expending a weapon on a certain target. Chairman Dean, having somehow found out that the JCS had requested the President to transfer a small number of nuclear weapons to the military, called the White House. Much to Dean's dismay, the President had already decided to approve the transfer when he invited Dean to the White House on the afternoon of April 6. Dean did, however, receive the definite impression that the President would call for State and AEC participation in any deliberations on the use of nuclear weapons.

(U) The transfer was directed in the interest of national defense and General Hoyt S. Vandenburg, Chief of Staff, U.S. Air Force was designated as the personal representative of the President for custody of the weapons acting as the executive agent of the Joint Chiefs of Staff.

(U) The consideration of transfer of the nuclear components of atomic weapons in the Spring of 1951 was not without surprises however, in both the AEC and JCS. At least one member of the AEC thought that AEC custody was "an empty concept." Curiously enough, the JCS disapproved as "untimely" a joint MLC/AEC memorandum which proposed that nuclear components be transferred to the custody of the DoD in numbers to match the non-nuclear components already deployed.

~~(SECRET)~~ After details incident to the transfer had been completed, the weapons were moved to Guam in late June of the same year and placed with the Air Force Special Weapons Unit there. This unit was assigned to the Air Force task organization deployed to Guam.

(U) The same general reasons for this transfer were to accommodate the DoD requirement as explained in the letter from the Chairman, Military Liaison Committee, to the Atomic Energy Commission of 14 June 1948 which was quoted earlier, and the same provision of the Atomic Energy Act applied as for the original transfer of non-nuclear assemblies.

(U) At this time, and partially as a result of the transfer actions noted above, it became necessary to revise the Agreement Between the Atomic Energy Commission and the Armed Forces Special Weapons Project on Storage Site Operations and Maintenance. This was done and a new agreement became effective on 3 August 1951.

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(U) In January 1952, the Joint Chiefs of Staff expressed the requirement for a minimum number of atomic weapons to support military operations. Realizing that the number would be unattainable for a period of years, the JCS stated practical requirements which they felt must be fulfilled. It became obvious to the Department of Defense as a result of this action that for operational flexibility in the offensive use of atomic weapons, it was essential that, until such time as the minimum requirements of atomic weapons could be produced, all weapons should be in the custody of the Department of Defense, except for such weapons as might be returned to the Atomic Energy Commission for quality inspection.

(~~SECRET~~) In June 1952, a requirement was established by the Joint Chiefs of Staff for deployment of additional non-nuclear components overseas. The Air Force had deployed a fighter wing and a light bomber wing to Europe to augment the air forces allocated Supreme Allied Command, Europe. These units were equipped with aircraft capable of delivering the smaller atomic bombs. Two aircraft carriers, the [REDACTED] were scheduled to depart the Continental United States enroute to the Western Pacific in September. These two CV-9 class carriers in addition to the three CVB class carriers mentioned earlier would be modified by that date to give each vessel a full capability for storage and handling atomic bombs. The carrier air groups aboard these carriers would have aircraft capable of delivering the weapons.

(~~SECRET~~) Additional non-nuclear components were requested for deployment to the United Kingdom, Guam, [REDACTED] and for carriers in an operational status. In each location adequate storage facilities either existed or were scheduled for completion prior to deployment of the additional components. The Secretary of Defense supported this requirement and the President approved the transfer and deployment on 22 July 1952. The components were subsequently received by the Armed Forces Special Weapons Project and delivered to the Special Weapons Units at the designated destinations.

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CHAPTER 4

DoD QUEST FOR CUSTODY

1951 - 1953

(U) Meanwhile the long-standing contention of the Department of Defense that it should have overall custody of stockpile atomic weapons had been quiescent but not forgotten. An AEC-DoD agreement on "Responsibilities for Stockpile Operations" in August 1951 was not implemented until June 1952 when AEC and AFSWP agreed on the Operations of National Stockpile sites under the command of AFSWP. It appears that both sides were not too anxious to commit themselves.

(U) On 11 December 1951, the matter of custody was raised again by the Joint Chiefs of Staff. They expressed the view that the current system of divided responsibility for storage, surveillance, maintenance and security of the stockpile was harmful to the best interests of the United States and that the Armed Forces should have sufficient numbers of atomic weapons in their custody to assure operational flexibility and military readiness. A proposal, initiated by the Joint Chiefs of Staff and supported by the Secretary of Defense, resulted in the President's approval of the following concepts regarding atomic weapons on 10 September 1952:

"a. Use of Atomic Weapons

"In the event of a positive decision, the President would authorize the Secretary of Defense to use atomic weapons under such conditions as the President may specify.

"b. The Department of Defense should have custodial responsibility for stocks of atomic weapons outside the continental United States and for such numbers of atomic weapons in the continental United States as may be needed to assure operational flexibility and military readiness for use, subject to subparagraph a: above.

"c. The Atomic Energy Commission should maintain custodial responsibility for the remainder of the stockpile of atomic weapons.

"d. Each agency should provide the facilities for storage of atomic weapons over which it maintains custodial responsibility.

"e. Where custodial responsibilities may be changed by Presidential directive without physical movement of weapons, reimbursement for existing storage facilities should not be required.

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"f. The Department of Defense should provide physical security and services required for the operation of all storage sites for atomic weapons.

"g. For storage facilities for which the Atomic Energy Commission is responsible, the services provided by the Department of Defense should include normal administrative services, and under the technical supervision of the Atomic Energy Commission the performance of such maintenance, surveillance, modernization and modification work as is deemed appropriate for accomplishment at the site.

"h. The Department of Defense should provide the Atomic Energy Commission with surveillance information on atomic weapons under Department of Defense custody and access to such weapons for such purposes as the Atomic Energy Commission may determine to be necessary, including the determination of the effects of environmental and operational conditions and rotation, modification and major retrofit programs.

"i. The Department of Defense should state its military requirements for numbers and types of atomic weapons including the desired military characteristics thereof.

"j. The Atomic Energy Commission should propose rates of production and production goals for weapon materials in the light of stated military requirements and of the Commission's capabilities for meeting these requirements.

"k. The President, in light of subparagraph i. and j. above, will determine the atomic weapon production program.

"l. The Department of Defense should establish appropriate criteria and conduct such tests and evaluations beyond those conducted by the Atomic Energy Commission as deemed necessary to ascertain acceptability of weapons to meet the stated military characteristics."

As set forth in the above concepts, the Department of Defense would have custodial responsibility for stocks of atomic weapons outside the Continental United States and for such numbers within the country as might be needed to assure operational flexibility and military readiness. The concept also recognized that the Department of Defense should provide the physical security and services required for operation of all storage sites.

(U) A study made within the Department of Defense of the custody situation as of 30 September 1952, pointed out that the Department of Defense then exercised custodial responsibility for weapons deployed to overseas sites, weapons stored aboard aircraft carriers, training weapons, and maneuver weapons. Working agreements had brought greatly increased DoD participation in weapons production, handling, safeguarding

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and maintenance both of nuclear and non-nuclear components. It further indicated that the growth of the stockpile during the coming decade would place the storage and care of atomic weapons in the category of big business and that this called for business-like methods and clear-cut functions and responsibilities. Three major problems were considered to be involved: security, availability, and storage.

(U) The study proposed essentially that the Department of Defense continue to be responsible for security and that availability be satisfied by the custody of the non-nuclear and nuclear components of atomic weapons which are stored at overseas storage sites, aboard aircraft carriers, and in all national and operational storage sites in this country, except for such weapons as might be returned to the Atomic Energy Commission for quality inspection. It indicated, however, that the Atomic Energy Commission would retain legal and "technical" custody of fissionable material.

(U) The Secretary of Defense and the Joint Chiefs of Staff, using the study as a basis, proposed to seek from the President an executive order which would affect the complete reorganization of the custody situation. This would include transfer of the entire stockpile of weapons both nuclear and non-nuclear components to the Department of Defense and assumption by it of responsibility for storage and security, as well as accomplishment of such surveillance, modification and maintenance mutually agreed with the Atomic Energy Commission as appropriate for storage sites. The proposal would leave the Atomic Energy Commission only with responsibility for the establishment of standards for surveillance, for quality control measures and for major retrofit and modification programs. After consultation by the Secretary of Defense with the Secretary of State and the Chairman, Atomic Energy Commission, it was concluded that the proposed action was then inadvisable and the action therefore was suspended.

(U) In October 1952, the Secretary of Defense requested the current views of the Joint Chiefs of Staff with respect to the deployment of nuclear components of atomic weapons to those areas where non-nuclear components were already deployed in light of the approved "concepts regarding atomic weapons" enumerated above. The Joint Chiefs of Staff, in reply, stated that it was essential to operational readiness and military flexibility that nuclear components be deployed outside the Continental limits of the United States at the earliest practicable date. They recommended that approval be obtained, as an immediate step, to effect deployment to storage locations ashore and afloat wherein the decision to do so rested solely with the United States and stated that diplomatic negotiations necessary to accomplish the remainder of the forward deployment should be undertaken.

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(U) On 8 June 1953, the Secretary of Defense initiated action to obtain the consideration of the Secretary of State and the Chairman, Atomic Energy Commission, for this requirement. With the concurrence of the Secretary of State and the Chairman, Atomic Energy Commission, the Secretary requested Presidential approval to effect transfer of custody from the Atomic Energy Commission and to deploy nuclear components in numbers equal to the non-nuclear deployments then approved to those storages afloat and ashore wherein the decision to do so rested solely with the United States. The President approved this request on 20 June 1953, subject to the understanding that the number of nuclear components deployed to each storage location would not exceed the number of non-nuclear assemblies actually deployed to that location and that adequate surveillance procedures would be available at each storage location before actual deployment.

~~(CONF)~~ Arrangements were made with the Atomic Energy Commission for specific types of components and the initial deployment under this authorization was made to Guam and to carriers of the Atlantic and Pacific fleets.

(U) With the advent of the construction and operational status of operational storage sites under the jurisdiction of the Atomic Energy Commission and the military services, it became necessary for agreements to be made between the Atomic Energy Commission and the Services concerned and to delineate more specifically the responsibilities of the Armed Forces Special Weapons Project and the individual Services. In May 1952 the Atomic Energy Commission and the Air Force reached agreement as to the procedures to be applicable at those operational sites within the United States under control of the Air Material Command. These sites, according to the agreement, would function under the same arrangement as that concluded between the Atomic Energy Commission and the Armed Forces Special Weapons Project on 9 November 1951. By memorandum of 16 October 1953, the Secretary of Defense delineated responsibilities of the Armed Forces Special Weapons Project and the individual Services as follows:

"1. The following responsibilities of the Department of Defense pertaining to atomic weapons in its custody will be exercised by the Chief, Armed Forces Special Weapons Project, reporting directly to the Secretary of Defense.

"a. Advising the Secretary of Defense as to the technical status of the stockpile of atomic weapons and recommending action to correct any deficiency or condition limiting employment.

"b. Maintaining a centralized system of reporting and accounting to ensure that the current status and location of atomic weapons and components in the custody of the Department of Defense will be known at all times by the Chief, Armed Forces Special Weapons Project.

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"c. Arranging for the distribution to the various sites of atomic weapons including both nuclear and non-nuclear components by number and type required by the Joint Chiefs of Staff to satisfy war plans.

"2. The following responsibilities of the Department of Defense pertaining to atomic weapons in its custody will be exercised by the Chief, Armed Forces Special Weapons Project, reporting to the respective Secretaries of the Army, Navy and Air Force or their designated representatives.

"a. Scheduling and performance of nuclear and non-nuclear maintenance and minor modernization programs at National Stockpile Sites.

"b. Scheduling nuclear and non-nuclear maintenance and minor modernization programs at Operational Storage Sites.

"c. Establishing major modernization schedules in conjunction with the Atomic Energy Commission.

"d. Intra-site handling at National Stockpile Sites.

"e. Inter-site transportation and enroute security between

"(1) National Stockpile Sites and

"(2) National Stockpile Sites and ZI Operational Storage Sites, except as required for quality assurance and major modernization.

"f. Initial functional surveillance inspections at National Stockpile Sites.

"g. Internal security of National Stockpile Sites.

"h. Budgeting for:

"(1) Construction of facilities at National Stockpile Sites and ZI Operational Storage Sites, except for those facilities required by the Atomic Energy Commission for quality assurance.

"(2) Equipment required for maintenance of nuclear and non-nuclear components except as provided in subparagraph 3h(2).

"(3) Transportation prescribed in paragraph 2e above.

"3. The Secretaries of the Army, Navy and Air Force are charged with the following residual custodial responsibilities of the Department of Defense for the ZI and overseas Operational Sites under their operation:

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"a. Performance of nuclear and non-nuclear maintenance and minor modernization programs.

"b. Intra-site handling.

"c. Inter-site transportation and enroute security, except as required for quality assurance and major modernization.

"d. Preparation of weapons for shipment to meet shipping schedules.

"e. Receiving and unloading shipments at railheads.

"f. Initial functional surveillance inspections.

"g. Internal security.

"h. Budgeting for:

"(1) Transportation prescribed in subparagraph 3c above.

"(2) Equipment required for maintenance of nuclear and non-nuclear components as agreed by the Service operating the Operational Site and the Armed Forces Special Weapons Project."

The contents of this directive were partially covered in the mission of the Defense Atomic Support Agency when the Armed Forces Special Weapons Project was reorganized and so designated. The directive was rescinded by the Secretary of Defense on 2 February 1960. The new mission of the Defense Atomic Support Agency was formalized in May 1959.

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CHAPTER 5

THE DEVELOPMENT OF WORLD WIDE DISPERSALS

1952 - 1955

(SFRD) In June 1952, the Joint Chiefs of Staff submitted a long range program for the storage of non-nuclear components at overseas locations. Five of the storage areas were not involved in negotiations. These were Alaska, Guam, Hawaii, [REDACTED] and aircraft carriers. Satisfactory arrangements were in effect concerning two of the storage locations. These were the United Kingdom and [REDACTED]. Authorization had been received from the President for storage at one additional location which was [REDACTED]. The remaining areas in the long range plan were the [REDACTED] Germany, [REDACTED]. The Joint Chiefs of Staff recommended that negotiations to obtain storage rights at these locations proceed on a priority basis as expeditiously as each case would permit.

(S) In discussing this long range plan with the President, the Secretary of Defense was informed that the President:

(a) was prepared to release reasonable numbers of non-nuclear components for deployment outside the Continental United States and areas under solid U.S. control, and to approve allocations to aircraft carriers;

(b) would approve deployment of reasonable numbers of non-nuclear components to areas not under U.S. control where the country was politically and economically stable, and where adequate U.S. forces were on the spot to provide security and defense, if necessary.

(c) was of the opinion that with the wide distribution which (a) and (b) above would permit and with the assurances given him of the ability to transport promptly by air or otherwise the components required, he did not at this time feel justified in widening the area of risk through release and deployment and was inclined to feel that the security of the non-nuclear components ranked equally with that of fissionable material.

(SFRD) The President stated that if the ability to transport and to deliver to the target had not been overstated to him by the Services involved, the amounts authorized for deployment would appear adequate for any plans known to him.

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He indicated, however, that after considering his views if his military advisors were able to show compelling reasons for shipment outside the United States of additional non-nuclear components beyond those which his program would provide, he would be glad to reconsider the matter. The President specifically expressed concern over the political instability and security of [REDACTED]

(SPRD) The Joint Chiefs of Staff were informed of the President's views and after reconsideration they informed the Secretary of Defense that they still believed their recommendation was sound, particularly in light of the atomic delivery capability of forces then in or soon to be deployed to [REDACTED] West Germany, [REDACTED] the United Kingdom, and in consideration of the following factors:

(a) Under duress of hostilities any arrangements made to furnish complete atomic weapons to forces in the combat areas from the storage locations in areas contiguous thereto would be subject to delays resulting from communications difficulties, logistic complexities and hostile actions. Realization of the most effective support for allied and U.S. forces could only be attained by the forward storage of complete atomic weapons in areas occupied by U.S. forces; delays in bringing weapons to bear on a target were considered to be unacceptable in the fluid situation which would exist in the period immediately following the outbreak of hostilities.

(b) The military risks inherent in the storage of complete atomic weapons were acceptable and no greater than the risk which had been accepted with respect to US troops and other equipment already there. US forces could be depended on to furnish a degree of protection for atomic weapons against overt and covert actions under both peacetime and wartime conditions.

(c) It was realized that many political and psychological considerations offered deterrence to foreign concurrence in the deployment of atomic weapons overseas. For that reason the Joint Chiefs of Staff considered it unpropitious to store atomic weapons [REDACTED] at that time. However, deployment of weapons elsewhere in Europe and [REDACTED] was timely and could serve as assurance to allied people that allied forces would have the ability to counter any acts of Soviet aggression.

(SPRD) The Joint Chiefs of Staff recommended that Presidential approval be obtained for the storage of nuclear and nonnuclear components of atomic weapons [REDACTED] West Germany, the storage of nuclear components in

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the United Kingdom and [REDACTED], and that after approval the Secretary of State be requested to initiate diplomatic negotiations necessary to accomplish these actions.

(~~SECRET~~) The Joint Chiefs of Staff reiterated the requirement for storage in [REDACTED] in November 1952 to support the then current operations orders, in that such storage would "facilitate deployment of strike forces, relieve D-Day demands on air transport and increase the capability to strike in critical days following the commencement of hostilities." In December the Department of State was asked to initiate action as required to permit this deployment, and in February 1953 the Secretary of Defense was informed that the existing base agreements covered construction of atomic weapons storage facilities and storage of non-nuclear components at these locations.

(U) On June 20, 1953, the President approved the request of the Secretary of Defense to effect deployment of nuclear components "in numbers equal to the nonnuclear deployments now approved to those storages afloat and ashore wherein the decision to so deploy rests solely with the United States" provided that:

(a) The number of nuclears deployed will not exceed the number of nonnuclears at each location.

(b) Adequate surveillance procedures will be available at each location prior to deployment.

(~~SECRET~~) This action was recommended by the Special Committee of the National Security Council on Atomic Energy. The action authorized the deployment of up to [REDACTED] nuclears. As of June 30, 1953, over [REDACTED] nonnuclear components were located in overseas areas; [REDACTED] in the United Kingdom, [REDACTED] on Guam, with the remaining [REDACTED] on carriers in the Atlantic and Pacific

(U) The authorization for deployment of nuclear components "to match the nonnuclear components already deployed" evidently was now timely for the JCS as opposed to their previous position two years earlier.

(~~SECRET~~) The Secretary of Defense initiated action on the Joint Chief's recommendation for storage of nuclear and nonnuclear components [REDACTED] and West Germany and for storage of nuclear components in the United Kingdom

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and [REDACTED] In memoranda to the AEC Chairman on August 8, 1953 and April 12, 1954, he also requested the release of nuclear components under the Presidential approval. In April 1954, the Joint Chiefs of Staff were notified that authority had been obtained to deploy complete weapons to the United Kingdom and [REDACTED]. At the same time the Secretary of State was requested by the Secretary of Defense to arrange for necessary authority for the storage of complete weapons in West Germany [REDACTED]. In June 1954, the Secretary of Defense was able to notify the Joint Chiefs of Staff that they were authorized to deploy and store both nuclear and nonnuclear components in West Germany; however, only nonnuclear components were authorized for deployment [REDACTED].

(U) Also, in September 1954, the Joint Chiefs of Staff recommended to the Secretary of Defense that approval be obtained for on-base storage of atomic weapons in the Continental United States. The Secretary was informed that there was a requirement for 22 storage facilities for strategic air operations and that additional facilities would be required for air defense installations and anti-submarine bases. The Joint Chiefs of Staff believed that the same principle of improved combat readiness should be applied to atomic operations conducted from or within CONUS as had been provided by overseas deployment of atomic weapons and that the necessary atomic storage facilities on or near CONUS operating bases should be constructed to provide this readiness capability. It should be noted that this action would be covered by the concepts previously approved by the President.

(U) The Joint Chiefs of Staff did not request transfer of weapons but noted the willingness of the Services to undertake the necessary construction provided budgetary authorization could be obtained. It was believed that the Services should provide these storage facilities in that many existing facilities could be modified, details of storage plans would be intimately related to operational needs, and some time could be saved by having the Services prepare and implement the construction plans. This was recommended even though the existing AEC-DoD Agreement provided that the AEC was responsible for construction of all initial storage facilities and major additions thereto.

(U) The Secretary of Defense expressed concurrence with the Joint Chiefs of Staff in the principle of dispersed storage and designated the Military Liaison Committee as the agency of the Department to negotiate with the AEC such revisions of existing storage agreements as may be necessary to implement the dispersal program and initiate action to obtain the coordination and cooperation of the Commission in this regard. The Secretary submitted the program to the President in December of 1954 and informed him of an agreement between the Secretary of Defense and the AEC Chairman, and the

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desirability of transferring weapons to the custody of the Department of Defense if the on-base dispersal program was implemented.

(U) Recognizing concern as to the possible impact on the American public, our Allies and the USSR of the military controlling custody of large numbers of weapons and considering that these possible reactions should not justify a lower degree of readiness, the Secretary of Defense felt that the possible reactions should be considered in the authorization and actual scheduling of weapons in order that adverse reaction could be kept to a minimum or avoided. The President was requested to concur in the concept of on-base dispersal as outlined and to direct the AEC to transfer to the Defense Department a sufficient number of nuclear weapons components to meet July 1955 schedules.

~~(SFRD)~~ The long range plans for overseas deployment provided for increasing the present authorization of [redacted] nuclear and [redacted] nonnuclear components to [redacted] and [redacted] respectively. As in the past, no deployments would be made until adequate storage facilities and security arrangements had been provided. The Secretary of State also had to agree that the storage of weapons in any area not under US jurisdiction had been cleared diplomatically and was politically expedient.

~~(SFRD)~~ The plans called for on-base storage for [redacted] weapons for each heavy bombardment wing for a total of approximately [redacted] weapons. Authorization was requested for a total of [redacted] nuclear and [redacted] nonnuclear components to be transferred to the DoD to meet the July 1, 1955 deployment schedule as shown on the following page.

(U) The President replied that he had reviewed the policy considerations connected with large scale dispersal of atomic weapons both overseas and on operational bases in CONUS and approved the plan set forth in the letter from the Secretary of Defense. He further determined that, in the interest of national defense, atomic weapons would be dispersed overseas and within CONUS to the extent required by military readiness. Custody of the weapons would be transferred to the DoD in accordance with mutually acceptable arrangements between the AEC and the DoD in regard to readiness, maintenance and improvement responsibilities and in accordance with mutually acceptable arrangements in regard to dispersal of such weapons as the AEC deemed not yet ready for full release and transfer to the DoD. The numbers of weapons to be transferred were to be directed by the President in separate actions from time to time. At the same time, the President directed the AEC to transfer to the DoD the numbers of weapons components requested by the letter from the Secretary of Defense.

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TABLE I
LONG RANGE DEPLOYMENT PLAN
FY 1955

Nuclears

	<u>1 Dec 54</u>		<u>1 Jan 55</u>		<u>1 Jul 55</u>		<u>1 Jan 56</u>		<u>1 Jul 56</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
O'seas Deploy.	██**	19.2**	██	19.2	██	20.3	██	20.3	██	20.2
On-Base Storage	██	0	██	12.6	██	19.9	██	19.4*	██	15.7*
Total	██**	19.2**	██	31.8	██	40.2	██	39.7	██	35.9

Non-Nuclears

O'seas Deploy.	██	20	██	20.	██	24.6	██	28.2	██	30.9
On-Base Storage	0	0	252	6.7	557	12.2	670	12.8*	670	11.2*
Total	██	20	██	26.7	██	36.8	██	41.0	██	42.1

* Subject to increase if the Joint Chiefs of Staff increase current allocation to Strategic Air Command.

** Authorized; deployment not completed.

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(U) The Joint Chiefs of Staff were informed of the Presidential approval and the Chief, Armed Forces Special Weapons Project (AFSWP) was granted authority to receive the weapons components for the DoD in accordance with instructions from the Joint Chiefs of Staff. The AEC Chairman was also informed of the above action and arrangements were made between the DoD and the AEC to accomplish the dispersal program which the President had approved.

(U) It is interesting to note that the President stated in his letter of December 1, 1954 to Mr. Wilson regarding dispersals for FY 1955 that "I approve the general dispersal and employment plan..." and "the number of weapons to be transferred in connection with the dispersal program will be as directed by me in separate actions from time to time as heretofore." Mr. Wilson's memorandum to the Chairman, Joint Chiefs of Staff, however, stated that "only transfer of additional components to meet subsequent schedules will require further Presidential approval." Even though there appears to be a difference in meaning and intent between the two documents, there is no evidence of any controversy having developed.

(U) A compilation of the actual FY 1955 deployment authorization is shown on the following page.

(U) At this point, actions had evolved to a fairly stable pattern for establishing requirements for weapons deployments and obtaining authority for transfer of weapons from the AEC to the DoD and for dispersal of the weapons. The Joint Chiefs of Staff had established a requirement for a given period for both nuclear and nonnuclear components for dispersal both overseas and to operational units in CONUS. These requirements had been approved by the President for transfer from the AEC to the DoD. The Department of State had been requested to obtain rights for storage at certain overseas locations. Storage facilities had been completed and additional ones were under construction. Special weapons units had been trained and deployed to receive, store, maintain, secure and deliver weapons at dispersed locations to delivery units when properly authorized to do so. Weapons were received from the AEC for the DoD by the AFSWP when transfers were made. The AFSWP then arranged with the Services for weapons to be delivered to the appropriate special weapons units.

(U) A new Storage Operations Agreement was entered into by the DoD and the AEC on August 3, 1955. This superseded the AEC-DoD Agreement, "Responsibilities for Stockpile Operations" of August 3, 1951. (NOTE: This new agreement was later amended on February 9, 1959.)

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TABLE II

(SFRD) NUCLEAR WEAPONS DEPLOYMENT AUTHORIZATION (U)
FY 1955

	<u>Nuclear</u>	<u>Non-Nuclear</u>
Presidential Authorization	[REDACTED]	[REDACTED]
a. Disposition of Authorization:		
Total Components Requested from US Atomic Energy Commission	[REDACTED]	[REDACTED]
Actual Deployed & Dispersed	[REDACTED]	[REDACTED]
Release Requested but not Deployed	[REDACTED]	[REDACTED]
b. Disposition by Command:		
CINCLANT	[REDACTED]	[REDACTED]
CINCEUR	[REDACTED]	[REDACTED]
CINCFE	[REDACTED]	[REDACTED]
CINCPAC	[REDACTED]	[REDACTED]
CINCSAC	[REDACTED]	[REDACTED]
Total	[REDACTED]	[REDACTED]
c. Disposition by Location:		
United Kingdom	[REDACTED]	[REDACTED]
West Germany	[REDACTED]	[REDACTED]
Hawaii	[REDACTED]	[REDACTED]
Guam	[REDACTED]	[REDACTED]
Carriers	[REDACTED]	[REDACTED]
Ammo Ships	[REDACTED]	[REDACTED]
Service Storage Facilities	[REDACTED]	[REDACTED]
Total	[REDACTED]	[REDACTED]

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(~~CFRD~~) In addition to the dispersals previously described, the President had approved the dispersal of atomic weapons to ammunition ships in the Atlantic and Pacific in April of 1954 to supplement storage ashore. Warheads for REGULUS missiles had also been approved for storage aboard cruisers and submarines equipped with these missiles.

(U) With the passage of the Atomic Energy Act of 1954, there was no significant change in the legal basis for the transfer of custody of atomic weapons from the AEC to the DoD in that Section 91b of the Atomic Energy Act of 1954 provides that:

"The President may from time to time direct the Commission (1) to deliver such quantities of special nuclear material or atomic weapons to the Department of Defense for such use as he deems necessary in the interest of national defense, or (2) to authorize the Department of Defense to manufacture, produce, or acquire any atomic weapon or utilization facility for military purposes: Provided, however, that such authorization shall not extend to the production of special nuclear material other than that incidental to the operation of such utilization facilities."

(~~SPRD~~) At the end of January 1955, nuclear and nonnuclear components of atomic weapons had been dispersed to the United Kingdom [REDACTED]

[REDACTED] Guam; Hawaii; [REDACTED] aboard three Naval vessels in the Atlantic and five Naval vessels in the Pacific. Nonnuclear components only had been dispersed to the United Kingdom [REDACTED]

[REDACTED] three Naval vessels in the Atlantic and two Naval vessels in the Pacific. Dispersal had been authorized in Alaska, [REDACTED] and West Germany but neither weapons or components had been stored at these locations at that time.

(~~CFRD~~) The table below illustrates the National Storage Sites (NSS), Operational Storage Sites (OSS) and the schedule showing which bases were to receive nuclear weapons.

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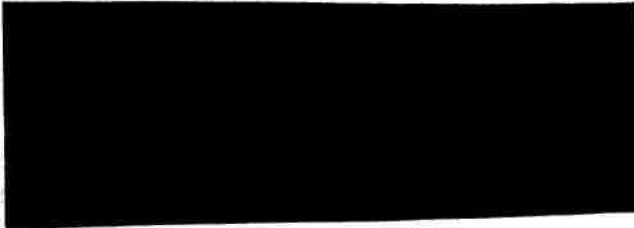
TABLE III

~~(CFRD)~~.

SCHEDULE OF BASES (U)

Continental United States

National Storage Sites (AFSWP)



Operational Storage Sites

Limestone, Maine (AF)
Rapid City, South Dakota (AF)
Spokane, Washington (AF)
Travis AFB, California (AF)
Yorktown, Virginia (Navy)
Westover, Massachusetts (AF)
Hunter AFB, Georgia (planned)
Seneca, New York (planned)

Schedule for Bases to Receive Weapons

Five AFB	1st Half 1955
Eight AFB	2nd Half 1955
Nine AFB	1956 - 1957

Follow on:

Ten Naval Bases (ASW)
Twenty-one Nike Sites (ADA)
Thirty-five Air Defense Interceptor Bases (AD)

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(U) In June 1955, the Joint Chiefs of Staff submitted to the Secretary of Defense their recommended dispersal of atomic weapons for the Unified and Specified Commands through June 30, 1956. This recommended dispersal plan specified both nuclear and thermonuclear weapons at overseas and CONUS bases as a requirement for dispersal and was based both on an anticipated increase in the stockpile and approximately 75% of it. The Joint Chiefs of Staff recommendation was predicated upon emergency war plans of the Unified and Specified Commanders which, when analyzed, showed that these Commanders planned to employ a major portion of their allocation of atomic weapons within the first few days after the outbreak of hostilities. In view of the logistical complications involved in the replenishment of atomic weapons, the Joint Chiefs of Staff recommended that the Commanders have on hand at the outset of hostilities the weapons to be employed in the first few days of war and in accordance with the existing plans. Additionally, their rationale incorporated the concept that further overseas deployment and dispersal within CONUS would greatly decrease the overall vulnerability of the stockpile to enemy attack.

(U) It should be noted that for the first time authorizations for weapons dispersal were requested by commands rather than by locations only as had been done previously. This method was considered preferable by the Joint Chiefs of Staff as it provided flexibility to the commanders and could be related to their weapons allocations. The Joint Chiefs of Staff stated their requirements thus: "that dispersed nuclear components be stored in close proximity to delivery forces in order to minimize the possibility of capture and to provide rapid availability for use, and that weapons in overseas locations be in consonance with the principle of equitable collocation of weapons and delivery forces."

(U) The Commanders of the Unified and Specified Commands concerned were to submit their recommendations for dispersal into those areas where the United States did not have full operational control for review and approval prior to accomplishment. The plan was submitted to the President and thus initiated the next era in the history of the custody of nuclear weapons.

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CHAPTER 6

SPLIT CUSTODY

1955-1957

~~(SECRET)~~ When the Secretary of Defense presented to the President the requirements for dispersal of weapons for the period to 1 July 1956, the matter of custody of thermonuclear weapons was discussed. On August 29, 1955, the President indicated his general approval of the numbers of weapons for dispersal, including thermonuclear weapons, which were recommended to him. A total of [redacted] nuclear and [redacted] non-nuclear components, exclusive of weapons exceeding a yield of 600 KT, were authorized to be in the custody of the Department of Defense as of July 1956. However, he decided that high yield weapons, those in excess of 600 KT yield, would remain in the custody of the Atomic Energy Commission at dispersed operational sites in the United States and at overseas bases. A total of [redacted] high yield weapons were authorized for dispersal. The table on the following page illustrates the FY 1956 deployment authorization.

(U) Recognizing that it would be difficult to establish suitable procedures on a firm basis for AEC custody of a portion of weapons to be stored at DoD bases until some experience was gained, the Department of Defense and the Atomic Energy Commission developed and agreed to interim procedures. The procedures agreed to on September 6, 1955 provided for the following:

"a. The Atomic Energy Commission will limit its custodial control and custodial surveillance to those components, assemblies or complete weapons which contain special nuclear material. Designated capsules dispersed for the high yield weapons concerned will be stored at all times in AEC controlled structures or compartments or be accompanied by AEC custodians, unless transferred in accordance with Presidential directive implementing the Emergency Transfer Plan. No active capsule will be inserted in any high yield weapon under AEC custody except with the expressed approval of the AEC custodian and in the custodian's presence. Components other than capsules containing special nuclear material will remain stored in AEC controlled structures or compartments or be accompanied by AEC custodians except:

"(1) When transferred in accordance with Presidential directive implementing the Emergency Transfer Plan;

"(2) For the period when in possession of base personnel for on-base inspection, maintenance, modification and readiness exercises;

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~~FORMERLY RESTRICTED DATA~~
Unauthorized disclosure is subject to
Administrative and Criminal Penalties. Handle
as Restricted Data in Foreign Dissemination
Section 144.b., Atomic Energy Act, 1954.

TABLE IV

NUCLEAR WEAPONS DEPLOYMENT AUTHORIZATION

FY 1956

	<u>Nuclear</u>	<u>Non-nuclear</u>
Presidential Authorization	[REDACTED]	[REDACTED]
a. Disposition by Commander		
CINCLANT	[REDACTED]	[REDACTED]
CINCEUR	[REDACTED]	[REDACTED]
CINCFE	[REDACTED]	[REDACTED]
CINCPAC	[REDACTED]	[REDACTED]
CINCSAC	[REDACTED]	[REDACTED]
Total	[REDACTED]	[REDACTED]
b. Dispersal of Nuclear Components by Location		
Continental United States	[REDACTED]	
United Kingdom	[REDACTED]	
[REDACTED]	[REDACTED]	
West Germany	[REDACTED]	
Guam	[REDACTED]	
[REDACTED]	[REDACTED]	
Hawaii	[REDACTED]	
Afloat (Pacific)	[REDACTED]	
Afloat (Atlantic)	[REDACTED]	
Total	[REDACTED]	
c. Dispersal of Thermonuclear Weapons by Commander and by Location	<u>Thermonuclear</u>	
CINCLANT (Afloat)	[REDACTED]	
CINCEUR (Continental U.S.)	[REDACTED]	
CINCFE (Guam)	[REDACTED]	
CINCPAC (Hawaii)	[REDACTED]	
(Afloat)	[REDACTED]	
CINCSAC (Continental U.S.)	[REDACTED]	
(Guam)	[REDACTED]	
Total	[REDACTED]	

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"(3) For periods of actual transport in tactical aircraft to and from AEC facilities and dispersal bases;

"(4) When the Commander-in-Chief, Continental Air Defense Command, or the appropriate Unified or Specified Commander designated by the Joint Chiefs of Staff, determines that emergency conditions exist within his command necessitating the loading of weapons in bomb bays for possible, or actual dispersal.

"It is understood that exceptions (2), (3), and (4) above do not constitute a transfer of custody from the Atomic Energy Commission to the Department of Defense and that AEC custodians will make such periodic observations and inspections as are feasible and appropriate to the retention of custody.

"b. The Atomic Energy Commission will furnish to each base concerned a small custodial detachment for the accomplishment of its custodial responsibilities. In addition, designated capsules in transport between AEC facilities and dispersal bases will be accompanied by an AEC custodian. Other components in transport which contain special nuclear material, except while in tactical aircraft, will be accompanied by an AEC custodian.

"c. Transportation will be furnished under the same procedures as for weapons transferred to Department of Defense custody, until and unless later agreed otherwise.

"d. Facilities to be made available by the Department of Defense to the Atomic Energy Commission for the fulfillment of the latter's responsibilities will be arranged by mutual agreement prior to dispersal. Service to be made available to AEC custodians by the Department of Defense will be arranged by mutual agreement.

"e. Reporting of status of weapons will be in a manner similar to that for weapons which have been transferred to Department of Defense custody pursuant to Presidential authority. Reporting by AEC custodians will be only that necessary to verify custody.

"f. It is understood that the Atomic Energy Commission, for communication with its custodians, will be dependent to a major degree on DoD communication networks. Mutually agreeable arrangements will

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be made as early as possible between the DoD and AEC agencies concerned to enable the Atomic Energy Commission to make use of appropriate DoD networks, particularly insofar as may be necessary for implementation of the Atomic Energy Commission Emergency Transfer Plan.

"g. A separate agreement will be made between the Atomic Energy Commission and the Department of Defense as early as practical to cover maneuver use of weapons and no such maneuver use is authorized until such agreement is reached.

"h. The Atomic Energy Commission will inspect facilities and AEC detachments at dispersal bases as necessary for insuring fulfillment of its custodial responsibilities, securing necessary advance clearance with the appropriate Department of Defense agency for the visit."

It was agreed that final procedures would be developed on or about 1 March 1956.

(U) Operational experience showed that implementation of the restrictions imposed by AEC custody of high yield weapons had introduced serious limitations on operational readiness of units in the field. In addition, administrative difficulties in handling the transportation of weapons and capsules had been experienced. This was particularly true in air shipments and on supply ships during resupply operations where capsules were required to be accompanied by an AEC custodian.

(U) The Joint Chiefs of Staff pointed out the above difficulties, explaining them in some detail to the Secretary of Defense in February of 1956, by stating they believed that too many complications were being introduced in an attempt to secure physical custody of high yield weapons by the Atomic Energy Commission. The Joint Chiefs of Staff restated their opinion that dispersed high yield weapons should be under military control in order to insure operational readiness and that this objective should be pursued at the earliest propitious time. In case this objective could not be obtained, the Joint Chiefs of Staff provided recommended changes to the agreed procedures.

(U) In March 1956, AEC agreed to provide storage space at AEC storage sites for certain DoD weapons. This, however, in no way ameliorated the situation.

(U) In supporting the recommendation of the Joint Chiefs of Staff, Mr. Charles Wilson, then Secretary of Defense, provided comments to Mr. Strauss, then Chairman, Atomic Energy Commission, in a letter dated April 21, 1956, to the effect that the dual custodial arrangement involving AEC custody of high yield weapons which had been dispersed served

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no real purpose and that it should be abandoned as early as practicable; that in view of the trend toward high yield weapons, it appeared that either the principle of operational readiness would have to be compromised or custody by the Commission would have to be exercised on a more practical basis; that since he understood that the Commission felt strongly that the question of custody of dispersed high yield weapons should not be reopened at that time, he would not press the matter. However, he believed it necessary that the interim agreement be amended to render it as fully compatible with operational readiness as possible. He pointed out that the changes recommended fell into two categories: (1) those which bore directly on the problem of operational readiness; and (2) those having the effect of simplifying administrative procedures and reducing costs.

(U) Excerpts from Mr. Wilson's letter highlight some of the reasons for the requested changes.

"The proposed amendment to Par. 3a is designed to insure the immediate availability of complete weapons under conditions short of a national emergency wherein responsible commanders may find it necessary to make all preparations for emergency dispersal or to evacuate a base to preserve the integrity of their commands and equipment. As you are aware, the President on April 4, 1956, approved transfer procedures which will have the effect of insuring immediate availability of weapons under the emergency conditions specified in our joint letter to him of March 23, 1956. There are certain conditions short of the specified cases, however, under which the immediate availability of complete weapons may be essential to the national security but which, at the same time, would not justify a national alert under which the complete stockpile transfer would be set in motion. Such conditions would include the receipt of strategic warning of possible attack or evidence of impending local sabotage which would necessitate maximum preparatory action short of a national alert.

"In current designs of high yield weapons, capsules must be installed in the in-flight-insertion mechanism before a weapon is loaded in an aircraft. If weapons are loaded in strike aircraft prior to the receipt of Presidential authority for transfer, they must be unloaded to install the capsule. If the aircraft are scheduled for evacuation under subparagraphs 3a(4) of the agreement, only components other than capsules may be loaded, and if the aircraft is evacuated with the incomplete weapon, it is committed to return to a base prior to strike. The proposed addition to Par. 3a would permit loading of the complete weapon when the appropriate commander designated by the Joint Chiefs of Staff determines that emergency conditions such as indicated above exist within his command.

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"The remainder of the amendments set forth in the inclosure are proposed for the following reasons:

"a. Supply and transport operations set forth in subparagraphs 3a(3) and 3b impose restrictions on shipments which appear to serve no purpose in the interests of the Commission's custodial responsibilities. The current agreement provides that the commander of a tactical aircraft may act as a custodial agent of the Commission for the transport of weapons components containing nuclear materials other than capsules. Extension of this custodial arrangement to the movement of capsules and to shipments in other than combat type aircraft would not seem inconsistent with the Commission's custodial responsibility and would greatly simplify the supply operation as well as reduce costs.

"b. The Department believes that the principle of utilizing designated military commanders as agents of the Commission, as indicated above, is particularly appropriate for dispersals to combatant and ammunition ships where the presence of a civilian employee of the Commission, however well disguised by a cover plan, is nonetheless a possible source of important information to a potential enemy as to the nature of a ship's armaments. I need not emphasize that such military commanders as may be properly designated would be equally amenable to orders and restrictions concerning the handling of atomic weapons as are civilian custodians and that, in my opinion, the Commission's custodial responsibilities could be exercised in the manner suggested without compromise."

(U) By the spring of 1956, the procedures established for the transfer of atomic weapons from the Atomic Energy Commission to the Department of Defense in an emergency had become a matter of serious concern. A practice alert in June 1955 had demonstrated definite and potentially serious delays in authorization and notification procedures. The Department of Defense and the Atomic Energy Commission both considered it essential that steps be taken to eliminate all sources of possible delay or confusion in the transfer procedures which might compromise our readiness to react to an attack or threat of attack.

(U) An Atomic Energy Commission-Department of Defense Memorandum of Understanding for the Transfer of Atomic Weapons was prepared so that the automatic transfer of all finished weapons in AEC custody to the Department of Defense would be assured under specified emergency situations. The President directed the implementation of the proposed procedures on April 4, 1956, and one month later the Atomic Energy Commission-Department of Defense Memorandum of Understanding for the Transfer of Atomic Weapons became effective. This memorandum was later revised and reissued on February 3, 1960, with an effective date of March 4, 1960.

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(S/FRD) In this authorization, President Eisenhower gave advance authority for the use of nuclear weapons in the air defense of the United States. Standard rules of engagement were approved by the Secretaries of Defense and State with an interim agreement negotiated with Canada to apply to overflights of Canadian territory.

(C) To further improve the state of readiness, the President approved the automatic transfer of all finished weapons from the AEC to the DoD in the event of a defense emergency, air defense readiness of a Red or Yellow Warning Alert. The defense emergency could be declared by CINCONAD or one of the Unified or Specified Commanders under the Joint Chiefs of Staff. On such a declaration, notification was to be sent to the AEC custodians through normal military channels. Upon receipt of the notification, the AEC custodians would initiate the transfer. This procedure avoided the necessity of obtaining specific approval from the President for the transfer of weapons in the event of a defense emergency.

(U) During the negotiations of the Memorandum of Understanding, the Atomic Energy Commission additionally agreed to eliminate civilian custodians from vehicles, ships and aircraft transporting weapons to and from AEC-DoD sites and combatant and ammunition ships carrying dispersed weapons with the proviso that a properly designated military representative of the AEC would exercise custody for the AEC. After the President was informed of the proposed changes to the custodial agreement, the finalized version was consummated on June 4, 1956. This agreement continued in effect until February 2, 1957 when, at the direction of the President, the procedures were again revised wherein designated AEC military representatives would be utilized at all dispersed locations for maintaining custody of high yield weapons for the Atomic Energy Commission.

(U) Secretary Wilson and the Joint Chiefs of Staff had not been successful in obtaining everything they desired but had come a long way in the short span of three years. They would continue to press for the immediate availability of complete weapons under conditions short of a national emergency.

(C) In promulgating the dispersal of weapons as had been approved by the President on August 29, 1955 for the FY 1956 period, the Joint Chiefs of Staff established principles governing dispersal as follows:

"1. Close Proximity. Nuclears will be stored in close proximity to the related delivery forces, in those overseas locations wherein the United States does not exercise unrestricted operational control. In this connection the term 'nuclears' includes thermonuclear weapons and other weapons in

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which the nuclear component is an integral part of the weapon. It is intended that if the related delivery force is repositioned or withdrawn from the area, the nuclears will be shifted in consonance therewith.

"2. Equitable Collocation. Nuclear dispersals in those overseas locations wherein the United States does not exercise unrestricted operational control, will be in consonance with the principle of equitable collocation of weapons and delivery forces. That is, there will be no imbalance of nuclears at these locations in relation to the numbers required by the delivery forces to accomplish their initial scheduled strikes nor shall the numbers of nuclears so located exceed the numbers which could be removed expeditiously in an emergency. Initial scheduled strikes are those strikes required prior to receipt of scheduled resupply.

"3. Control of High Yield Weapons. Dispersed weapons of yields exceeding 600 KT will be retained in the custody of the Atomic Energy Commission. The interim procedures established by agreement between the Atomic Energy Commission and the Department of Defense will govern custodial relationships for high yield weapons. Dispersal of these weapons will be limited to bases in the United States, U.S. naval vessels whether at sea or in port, and overseas locations under the full control of the United States. The numbers so dispersed will be limited to the initial scheduled strikes of the delivery forces concerned.

"4. Specific Approval for Foreign Areas. Commanders of the unified or specified commands concerned will submit their recommendations for initial dispersal into those areas where the United States does not have full operational control to the Joint Chiefs of Staff for review and approval prior to accomplishment. Components of atomic weapons will be dispersed only to those countries with which appropriate diplomatic arrangements are in effect.

"5. Adequate Facilities. Atomic weapons may be dispersed only to locations where adequate storage and surveillance facilities are available.

"6. Mutual Use of Facilities. Commanders will make arrangements with one another as required for use of storage facilities. In case of irreconcilable differences, the matter will be referred to the Joint Chiefs of Staff for resolution.

"7. Allocation Limits. Weapon types and numbers to be dispersed will be in consonance with commanders' allocations.

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"8. Use for Maneuver and Test. Weapons transferred to the Department of Defense may be used for maneuvers and operational suitability tests, provided none is expended for those purposes. Weapons which have been specifically produced and purchased for operational suitability testing involving expenditures are excluded from the foregoing. Tests and maneuvers of non-transferred weapons of yields in excess of 600 KT require special arrangements to be made with the Atomic Energy Commission.

"9. Dispersal by Commands. Dispersal authority is granted by command rather than by location. Subject to compliance with all of the conditions stated above, commanders of the unified or specified commands are authorized to effect changes in the locations of their dispersed weapons. Commanders will report to the Joint Chiefs of Staff any significant changes from planned dispersals previously approved."

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CHAPTER 7

DISPERSALS

1956 - 1958

~~(SFRD)~~ In early March 1956, the Department of Defense requested a change to President Eisenhower's Dispersal Authorization of August 29, 1955. There was an availability shortage of high yield weapons (exceeding 600 KT) authorized for dispersal due to production slippages and a slow transport time. The President amended his August 1955 directive and authorized DoD a total of [redacted] nuclear and [redacted] non-nuclear components exclusive of weapons exceeding a yield of 600 KT. A total of [redacted] weapons exceeding a yield of 600 KT were authorized for dispersal under AEC custody. This amendment provided DoD the measure of flexibility which they requested to maintain the desired state of readiness. It increased the August Dispersal Authorization by [redacted] low yield weapons in lieu of the unavailable high yield weapons. It also established a ceiling of [redacted] weapons as the total number (low and high yield) authorized for dispersal.

~~(SFRD)~~ In presenting their requirements for dispersal of atomic weapons to 1 July 1957, the Joint Chiefs of Staff recommended the establishment of a JCS general reserve of approximately 25% of the stockpile, to remain under the control of the Joint Chiefs of Staff. Thermonuclear weapons were recommended for dispersal to the United Kingdom [redacted]. This would be the first of this type weapon to be dispersed to locations not under full U.S. control. The high yield weapons to be dispersed to these as well as to other locations under full U.S. control were to remain in the custody of the Atomic Energy Commission.

(U) The Secretary of Defense recommended that the President approve the requirements on 21 November 1956, and the President's approval was obtained on 24 November. The President also stated in his approval letter that "Responsibility will rest with the Department of Defense for the security and safety of all weapons transferred to dispersed Department of Defense bases."

~~(SFRD)~~ The President directed the Chairman, Atomic Energy Commission, to transfer to the Department of Defense sufficient numbers of atomic weapons to provide in DoD custody as of July 1, 1957 up to a total of [redacted] nuclear components, up to a total of [redacted] non-nuclear components, and up to a total of [redacted] complete weapons exceeding a yield of 600 KT provided that AEC retain custody. Approval was given to the substitution and transfer of custody to DoD of lower yield weapons up to a total of [redacted] if sufficient high yield weapons were not available for dispersal. The President approved the dispersal of thermonuclear weapons [redacted] and the United Kingdom, as well as to bases under full U.S.

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control. However, he retained specific approval authority for dispersal of high yield weapons to territories over which the U.S. did not exercise sovereignty. He further stipulated that high yield weapons dispersed to bases not under full U.S. control would be subject to the same custodial arrangements as were in effect for high yield weapons aboard naval vessels.

(U) Between April and June in 1956 and 1957 the Joint Committee on Atomic Energy conducted hearings on the stockpile and dispersal of nuclear weapons. Summaries of the testimonies given by the Chairman of the Joint Chiefs of Staff and Chiefs of the Services reveal some rather startling and somewhat contradictory opinions.

(U) The Chairman of the Joint Chiefs of Staff, Admiral Radford, stated that no major expansion of AEC production facilities was justified at the time. Admiral Burke (Navy) and General Twining (Air Force) stated that the Navy and Air Force were satisfied with the 1957-1959 stockpile figures. General Twining, however, also made the remark that the Air Force would like to have a fantastic number of weapons. The Army was even more ambivalent. General Gavin gave 151,000 weapons as the Army's total requirement with 106,000 for tactical battlefield use, 25,000 for air defense and 20,000 for support of our allies. He estimated that a typical field army might use a total of 423 atomic warheads in one day of intense combat not including surface-to-air weapons.

(U) General Loper, Assistant to the Secretary of Defense for Atomic Energy, on April 4, 1957, presented a stockpile analysis to the JCAE as shown in the table on the following page.

~~(SRD)~~ In processing requirements for dispersal through 30 June 1958, the Joint Chiefs of Staff recommended continuation of the 25% general reserve with the exception of air defense and anti-submarine warfare weapons which would be in short supply throughout this period. The Joint Chiefs of Staff also recommended dispersal of nominal quantities of high yield weapons to [REDACTED]. These locations were in addition to those areas under full U.S. control and those not under full U.S. control which had been approved previously. The Joint Chiefs of Staff further presented the following "Principles Governing Dispersal of Atomic Weapons" as part of their representative dispersal plan:

1. Dispersal to Commanders. Weapons are dispersed to the commanders of the commands established by the Joint Chiefs of Staff in support of war plans. Weapon dispersal authorized for one commander may be dispersed to another commander by mutual consent. Commanders are authorized to adjust dispersal locations within their commands to meet operational needs, and will inform the Joint Chiefs of Staff of changes appreciably at variance with the scheduled dispersals.

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TABLE V

STOCKPILE ANALYSIS
(As of 28 January 1957)

<u>No.</u>	<u>Location</u>	<u>Percent in Storage</u>	
		<u>Nuclear</u>	<u>Thermonuclear</u>
[REDACTED]	[REDACTED]	27.55	16.18
7	OSS	15.69	24.17
24	SSF	14.67	52.69
10	Ships - Atlantic	9.41	1.68
9	Ships - Pacific	3.83	.77
1	Hawaii	1.08	.14
3	[REDACTED]	0	0
1	[REDACTED]	4.45	0
2	[REDACTED] Guam	1.11	4.34
1	[REDACTED]	0	0
3	[REDACTED]	2.01	0
7	West Germany	10.95	0
8	UK	7.83	0
1	Alaska	.61	0
2	[REDACTED]	.34	0
	Total AEC Custody	[REDACTED]	[REDACTED]
	Total DoD Custody	[REDACTED]	[REDACTED]
	Percent Overseas	[REDACTED]	[REDACTED]

Thermonuclears form [REDACTED] % of total stockpile. Of the total stockpile, [REDACTED] % is overseas. Of the total stockpile [REDACTED] % is in DoD custody.

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"2. Readiness for Use. Atomic weapons will be dispersed in close proximity to the related operational forces, in consonance with the objective of immediate readiness for use.

"3. Adequate Facilities. Atomic weapons will be dispersed only to locations where adequate storage, surveillance, and security facilities exist. The joint use of dispersal facilities by two or more commanders is encouraged.

"4. Dispersal Dates. Atomic Weapons dispersals will proceed on an orderly schedule, insofar as weapons are available, to provide for the attainment of the authorized levels of dispersals by the authorized dates.

"5. Foreign Sovereignty. Atomic weapons will be dispersed to locations under foreign sovereignty only where appropriate diplomatic arrangements are in effect. In locations under foreign sovereignty, a capability for the immediate withdrawal of atomic weapons will be constantly maintained."

~~(SFRD)~~ The Secretary of Defense supported the dispersal requirements of the Joint Chiefs of Staff with the exception of dispersal of high yield weapons to [REDACTED]. The requirements were presented to the President on 5 August 1957, and approved by him on the following day. Responsibility for security and safety of dispersed weapons was again specifically assigned to the Department of Defense by the Presidential action.

~~(SFRD)~~ The President authorized DoD custody as of July 1, 1958 up to a total of [REDACTED] nuclear and [REDACTED] non-nuclear. Up to a total of [REDACTED] complete weapons exceeding 600 KT were authorized to be dispersed under AEC custody. A ceiling of [REDACTED] was placed on lower yield weapons if sufficient high yield weapons were not available. Dispersal of high yield weapons to [REDACTED] was authorized subject to the standard custodial arrangements.

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CHAPTER 8

DOD CUSTODY OF DISPERSED WEAPONS
1958-1959

~~(SFRD)~~ Between May and September 1958, Deputy Secretary of Defense Quarles made several proposals to AEC Chairman Strauss regarding the custody of dispersed high yield weapons (in excess of 600 KT). This laid the groundwork for submission of a proposal to the AEC in conjunction with the request for dispersal of weapons for FY 59.

(U) On 22 September 1958, the Joint Chiefs of Staff forwarded the requirements for dispersal of atomic weapons through 30 June 1959. At this time they recommended that the general reserve not be maintained on a fixed percentage basis. They recommended that the reserve be sufficiently large to provide adequate control of military operations as well as sufficiently flexible to meet unforeseen contingencies. The reserve would be used whenever feasible to absorb the impact of production shortfalls, weapon modifications and sampling programs and other operations which would affect allocations to commanders. This would assist in maintaining, at dispersed locations, the commander's full authorization of operational weapons. The Joint Chiefs of Staff also reiterated their position that all dispersed weapons be transferred to the custody of the Department of Defense.

(U) The Secretary of Defense sought AEC concurrence of the proposal for transfer of all dispersed weapons to the Department of Defense and, upon receipt of this concurrence, presented to the President the dispersal requirements which included the proposal for transfer of dispersed high yield weapons from the AEC to the DoD. Additional locations were also recommended for dispersal of these high yield weapons.

~~(SFRD)~~ Meanwhile, the AEC and DoD agreed to procedures on positioning U.S. nuclear weapons in England [REDACTED]. This agreement provided the basis for future dispersals of weapons in support of non-US NATO units.

(U) On 3 January 1959 the President approved the recommended dispersal plan and also approved the transfer of custody to the Department of Defense of all dispersed atomic weapons. Transfer of custody was to be implemented as soon as appropriate arrangements between the Department of Defense and the Atomic Energy Commission had been made.

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~~(TSFRD)~~ The dispersal plan authorized DoD custody of up to [redacted] nuclear components, [redacted] non-nuclear components and [redacted] complete weapons exceeding a yield of 600 KT, as of July 1, 1959. There were [redacted] sealed pit weapons earmarked for air-defense and anti-submarine application. The President authorized dispersal of high yield weapons to [redacted] West Germany, [redacted] in addition to those previously authorized. He also authorized transfer to the DoD of an unspecified number of weapons over the totals established in the plan to replace weapons prior to withdrawal from dispersal locations.

(U) On 12 February 1959, after the Joint Committee on Atomic Energy had been informed by the Atomic Energy Commission, the Secretary of Defense and the Chairman, Atomic Energy Commission forwarded a letter to the President notifying him that satisfactory arrangements had been completed for transfer of custody of high yield weapons to the Department of Defense and that change in custody of the dispersed weapons could be completed in approximately 30 days.

(U) On 26 February 1959, the President directed the transfer of custody of dispersed complete high yield weapons to the Department of Defense. Implementation of this directive left only the JCS general reserve at National and Operational Storage Sites in the custody of the Atomic Energy Commission.

~~(SFRD)~~ The President authorized the transfer of up to [redacted] nuclear components including [redacted] sealed pit weapons for air defense and anti-submarine warfare, and up to [redacted] non-nuclear components. Additionally, he continued his approval of exceeding these numbers by an unspecified amount in order to preclude loss of weapons in the pipeline during periods of replacement. Any weapons lost to DoD would be replaced by AEC on a one-for-one basis.

(U) The directive replaced in entirety the President's directive of January 3, 1959. The total numbers of weapons were not changed by the President directed that AEC turn over custody of numbers of atomic weapons and non-nuclear components to DoD without regard to high or low yield.

(U) With the promulgation of this directive, the end of an era had arrived. During the past decade, effective transition of custody from the AEC to the DoD had progressed from the initial transfer of non-nuclear components, to nuclear components and complete weapons, followed by low-yield weapons and, finally, to high yield weapons.

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(U) This evolution was not unmarked by philosophical acrimony; President Eisenhower's decision did not set well with all as shall be noted later in this study.

(~~SECRET~~) The number of weapons under AEC and DoD control from the end of fiscal year 1947 to the end of fiscal year 1959 is summarized below.

TABLE VI

Custody of Nuclear Weapons (1947-1959)

<u>Year</u>	<u>AEC</u>	<u>DoD</u>	<u>Total</u>
1947			13
1948			56
1949			169
1950			198
1951			438
1952			832
1953			1161
1954			1630
1955			2280
1956			3620
1957			5828
1958			7402
1959			12305

(~~SECRET~~) The program for the dispersal of weapons to June 30, 1960 was submitted to the Deputy Secretary of Defense, who approved it in toto and submitted it to the President on October 29, 1959. The AEC coordinated on the plan and interposed no objection. President Eisenhower approved the dispersal of [redacted] nuclear components and complete weapons and [redacted] non-nuclear components for dispersal to areas under full U.S. control. Totals of [redacted] nuclear components and complete weapons and [redacted] non-nuclear components were authorized for dispersal to foreign countries. [redacted] nuclear components and complete weapons and [redacted] non-nuclear components were authorized to be stored for the first time in [redacted]. The Presidential approval also provided for [redacted] weapons in the JCS reserve. The Atomic Energy Commission was directed to transfer to the DoD a total of [redacted] nuclear components and complete weapons and [redacted] non-nuclear components by June 30, 1960. Authority was also granted for a one-for-one replacement of lost weapons and the temporary transfer of weapons to DoD to replace those withdrawn for stockpile modernization, quality assurance and retirement.

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(U) Nothing much transpired during the next 12 months regarding the actual dispersal of weapons. The question of custody of nuclear weapons did arise, however, relating to measures with respect to US nuclear weapons available to Allied Forces. This controversy and its related developments is the subject of the next chapter.

(U) One final action did occur relating to the transfer of weapons remaining under AEC control. As a result of an exchange of correspondence in the fall of 1959 between the DoD and the AEC regarding revisions to the May 4, 1956 AEC-DoD Memorandum of Understanding for the Transfer of Atomic Weapons, a new memorandum was approved by the President and became effective on March 4, 1960. The revised Memorandum differed from the Memorandum of Understanding of May 4, 1956, in the following respects:

1. Automatic transfer to the Department of Defense of all finished atomic weapons remaining in the Atomic Energy Commission custody had been eliminated. Responsibility to effect the transfer was assigned to the Joint Chiefs of Staff, or higher authority, to be executed at any time following a declaration of a Defense Emergency. The purpose of this change was to centralize authority in the Joint Chiefs of Staff to effect the transfer of weapons remaining in Atomic Energy Commission custody, whereas transfer had formerly been automatic upon declaration of Defense Emergency by one of the commanders of unified and specified commands. Since the memorandum did not apply to dispersed weapons, which had already been transferred to the Department of Defense, it did not affect DoD's ability to respond immediately to a Defense Emergency.
2. Authority to effect transfer of atomic weapons from Atomic Energy Commission to Department of Defense custody, following declaration of a Defense Emergency, was extended to include those weapons of the "red tag" category (withdrawn temporarily from availability) which were militarily usable and which the military site commander or his designated representative desired to have transferred.
3. CINCNORAD was included in the Memorandum of Understanding as a commander authorized to declare air defense conditions which constitute a Defense Emergency.

The detailed procedures for the transfer included:

1. Upon notification in writing, by a certificate signed by the military site commander or his designated representative (including the authenticating code word), that transfer of all finished atomic weapons in Atomic

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Energy Commission custody has been ordered by the Joint Chiefs of Staff, or higher authority, each Atomic Energy Commission custodian will immediately release for transfer all finished atomic weapons in his custody to the military site commander, or his designated representatives. From the moment of transfer, custody will rest with the Department of Defense.

2. The authenticating code word will accompany any order for the transfer of atomic weapons, issued by the Joint Chiefs of Staff or higher authority. The code word, determined jointly by the Atomic Energy Commission and the Department of Defense, will be disseminated to the custodians by the Atomic Energy Commission, and to the Joint Chiefs of Staff and higher authorities by the Department of Defense.

3. An immediate report that transfer action has been ordered will be made by the Department of Defense to the President and to the Chairman, Atomic Energy Commission.

(~~SECRET~~) On January 16, 1961, President Eisenhower approved the proposed DoD weapon dispersal program as of June 30, 1961. The AEC was directed to transfer on call to the DoD a total of [REDACTED] nuclear components/complete weapons dispersed to the DoD and stored at the National Stockpile Sites (NSS) and Operational Storage Sites (OSS), those dispersed to commanders, and those of the JCS Reserve dispersed in the custody of DoD. The standard authorizations for replacement of lost and withdrawn weapons was also given.

(~~SECRET~~) This was President Eisenhower's last dispersal authorization prior to his leaving office four days later. During his tenure the number of nuclear components/complete weapons transferred from AEC to DoD custody had risen from [REDACTED]. These dispersal authorizations were very closely guarded and kept to an extremely limited disposition. The President personally reviewed and signed each authorization. There were actually two sets of papers at the JCS, OSD and Presidential levels. One contained everything except the actual numbers of weapons. The other papers contained the numbers of weapons which were keyed to the appropriate paragraphs and sentences in the basic letters. The President received the letters and General Goodpaster was given the key with the numbers. The same procedures were observed at OSD and JCS levels.

(U) In these eight years, many problem areas had been resolved regarding the dispersal and custody of nuclear weapons. Other problems, however, were arising and would have to be dealt with by the next administration.

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CHAPTER 9

NATO
1957 to January 20, 1961

(~~SPRD~~) The question of custodial arrangements for nuclear weapons support of Allied Forces first arose in November 1957 when the JCS recommended to the Secretary of Defense that in furtherance of the objectives of Article III of the North Atlantic Treaty the following concept would be applied:

- a. The United States would provide personnel for the technical surveillance and custody of the weapons as required by U.S. law.
- b. Other NATO nations, as appropriate, would:
 - (1) Provide physical facilities for the additional storage sites which will be required because of this expansion of capability.
 - (2) Assure external security of these storage sites.
 - (3) Provide certain support for the U.S. contingent responsible for the custody and technical surveillance; e.g., housing and administrative facilities.
- c. Custodial arrangements would be such as to assure availability of the weapons for timely and effective use in the defense of NATO in accordance with SACEUR's plans for the defense of Allied Command Europe.

(~~SPRD~~) Following the approval of this concept by the Secretary of Defense, the Secretary of State and the Atomic Energy Commission, it was used as a basis for the NATO stockpile proposal presented by the Secretary of State to the NATO Heads of Government. The NATO Stockpile Plan was prepared pursuant to the Communiqué issued by the North Atlantic Council after the December 1957 Heads of Government meeting in Paris which stated that the North Atlantic Council "desired to establish stocks of nuclear warheads which would be readily available for the defense of the Allies in case of need." This decision was based upon the proposal that the United States would deploy nuclear warheads under U.S. custody in accordance with NATO defensive planning and in agreement with the nations directly concerned. In the event of hostilities, nuclear warheads would be released to the appropriate NATO Supreme Allied Commander for employment of nuclear capable forces.

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(~~SFRD~~) The JCS further recommended that the system, as described below, be extended in its application to NATO forces, other than U.S., in implementation of SACEUR's plans, as these non-US forces developed the capabilities to maintain and effectively utilize atomic delivery means. The concept advanced by the JCS provided that:

a. The United States makes an annual allocation of nuclear weapons to USCINCEUR in accordance with U.S. deployment of forces and overall weapon dispersal programs approved by the President. The allocation to USCINCEUR is developed to meet requirements generated by SACEUR's plans for the defense of Allied Command Europe.

b. When the yearly allocation is made, SACEUR applies it to:

(1) Theatre-wide scheduled counteratomic program;

(2) Interdiction program;

(3) Theatre reserve;

(4) The conduct of campaigns within each region of Allied Command Europe, in support of SACEUR's Emergency Defense Plans.

c. After allocations have been made SACEUR informs the Regional Commanders of the respective planning numbers in weapons for the conduct of operations within the regions. The Regional Commanders then prepare their plans for the use of this planning number and submit them to SHAPE for approval by SACEUR.

d. In accordance with these approved plans, USCINCEUR positions the weapons with U.S. special weapons organizations as the weapons arrive from the United States in accordance with Joint Chiefs of Staff schedules. These organizations maintain custody of the weapons and are distributed so that the weapons are readily available to the appropriate delivery forces.

e. In the event authority should be received by SACEUR for the use of atomic weapons, necessary action would be taken by USCINCEUR to have the U.S. special weapons organizations release the weapons to the appropriate delivery forces, thus providing a very definite centralized control of the stockpile of all weapons available for Allied Command Europe.

(~~SFRD~~) With regard to the U.S. custody of nuclear weapons, the following established rules apply:

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a. U.S. custody requires that control or access to the weapons must be maintained to the extent that it would take an act of force to obtain either weapons or information concerning the weapons without proper authorization.

b. The NATO country whose atomic delivery unit is being supported will be relied on for the security of the weapons against attacks from enemy forces, saboteurs or para-military forces.

c. Release procedures will be U.S. -controlled.

d. Custodial arrangements will be consistent with the principle of military readiness which provides for short reaction times and for the dispersal of weapons essential to our defense posture.

(~~SECRET~~) By early 1960 in Allied Command Europe the stockpile plan had been implemented incorporating a number of weapons systems with varying degrees of readiness, as for example: SACEUR's concept for strike squadrons (F-84-F or F-100 aircraft).

"A few atomic weapons may be stored on or in strike aircraft, as specifically authorized by SACEUR. The remainder will be stored in the custodial storage sites until released for employment by the delivery forces. In periods of tension, when specifically authorized by SACEUR, the number of weapons stored on or in aircraft may be temporarily increased. In all circumstances, prior to release by SACEUR a US custodian must keep the weapons under his control.

"Maintenance and check-out of the weapons normally will be performed in the facilities within the custodial storage sites. Maintenance beyond the capabilities of these facilities will be performed in the United States."

(~~SECRET~~) SACEUR had specifically authorized, for those Allies he believed were capable, two aircraft per squadron to be on a Quick Reaction Alert (QRA) Status (15 minutes). In addition, portions of the [REDACTED] were on a fifteen-minute reaction status. All other units with the various delivery systems were on lesser degrees of readiness.

(~~SECRET~~) The Joint Committee on Atomic Energy had been informed from the outset of the NATO Stockpile Plan. In addition, detailed information had been conveyed to the Committee through hearings held in connection with the processing of bilateral agreements as prescribed under the Atomic Energy Act.

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(~~SPRD~~) During the course of hearings in early 1960, the Committee, including the Chairman, indicated agreement in the definition of custody as it applied to the stockpile arrangements in Europe. However, the Committee also indicated considerable reservation with regard to the application of this custody in the case of an Allied interceptor aircraft becoming airborne with an atomic weapon aboard. It may be noted that the Defense Department had not implemented the concept to this degree. However, the Executive Branch of the Government maintained that under the Act its definition of custody still held, providing the interceptor is operating under carefully screened rules of engagement.

(~~SPRD~~) DoD believed that the underlying purpose of military cooperative agreements, the NATO stockpile concept and the supporting technical, operational and logistic arrangements was to enable our Allies to use our weapons for the common defense in a timely and effective manner. To assure the timely and effective use of nuclear weapons (or of any weapons), properly trained and adequately equipped Allied Forces should be able to maintain essentially the same posture of readiness as our own forces. To do so requires an evaluation of the time factors involved in furnishing nuclear weapons for the several weapons systems employed by allied forces.

(~~SPRD~~) An example of the time factor problem was the proposed [REDACTED]

[REDACTED] interceptor aircraft maintained on an alert status during peacetime to assure quick reaction to air attack. Upon declaration of a condition of maximum readiness confirmed by USCINCEUR, the aircraft, under authority derived from the President and under specified controls could be airborne to engage the attacker. In a hearing of 2 February 1960 the Joint Committee on Atomic Energy raised two questions concerning this arrangement:

a. As a priority point, the authority of the President to release physical control or possession of the U.S. weapon in a situation short of actual attack by an enemy. Here the Joint Committee on Atomic Energy defined "attack" or "hostilities" as the actual firing of a weapon or a dropping of a bomb on Allied Forces or territory.

b. As a secondary matter, the degree of "possession" maintained by the United States when the weapon is attached to the aircraft.

(~~SPRD~~) In a general summary of his views on these points Mr. Holifield, the Acting Chairman of the Joint Committee on Atomic Energy (JCAE), stated: (p. 54 of the Transcript of the hearing on 2 February 1960)

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"I think you make a case for it ([REDACTED]) sits on the ground. I think you make a case for the custody which is at least almost equal to that of having a soldier guarding an igloo but certainly after the wheels are up then there is no doubt in my mind (that the President has no constitutional authority to release possession of the weapon under the circumstances stated)."

Note: The parenthetical phrases are derived from the context of the transcript.

~~(SERD)~~ By separate letters to the Secretary of State and the Secretary of Defense of May 16, 1960, and in a Joint Committee hearing on June 24, 1960, Senator Anderson implied that he did not agree with Mr. Holifield's conclusion regarding U.S. possession of a weapon attached to an Allied delivery vehicle and that he considered all cases of this kind to represent something less than exclusive custody as intended by the Congress. He submitted proposed legislation covering both joint possession and transfer. Inasmuch as the development of an allied posture as regards quick reaction forces depended upon peacetime mating of weapons and carriers, it was essential that this issue be dealt with promptly.

~~(SERD)~~ The proposed legislation would admit joint possession by the United States [REDACTED], and by the United States and multinational forces of NATO, subjecting the arrangements to the approval of the Congress. The legislation would also authorize the DoD to transfer weapons to allied nations after the outbreak of war or hostilities or after a public declaration of a national emergency by the President.

(U) Thus, there were actually three positions on the question of custody. Senator Anderson believed that Section 92 of the Atomic Energy Act had to be amended as the loading of U.S. weapons on allied aircraft constituted a loss of U.S. custody and actually was "joint custody." Mr. Holifield believed that the U.S. lost custody when an allied aircraft was airborne with a U.S. weapon and that the President did not have the constitutional authority to release possession of the weapons until the outbreak of hostilities. DoD and State contended otherwise.

~~(SERD)~~ DoD's rationale was as follows:

a. The degree of possession which can be exercised over unauthorized access to or use of our weapons is dictated by the characteristics of the weapon and the delivery system and the time available to prepare the weapon for use. For relatively slow reaction forces, such as forces which may be

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expected to have several hours warning of an impending attack, it is not only possible but positively prescribed that until the weapon is released for expenditure the U.S. detachments supporting the unit, in addition to maintaining armed guards over the weapon, will maintain complete and absolute control over some element of the weapon without which the weapon cannot be used or detonated. For example, ground-based systems such as the HONEST JOHN, LACROSSE, CORPORAL and 8" Howitzer would be handled in the following sequence:

(1) In normal peacetime conditions the warheads or shells would be maintained in storage and would not be mated with the delivery vehicle.

(2) In a situation calling for an advanced state of alert, the weapon and vehicle may be mated, but only by the specific authority of the U.S. Commander of the Specified or Unified Command concerned; e.g., CINCEUR.

(3) When so mated the U.S. custodian would maintain his full and absolute possession, and separately from the weapon, the nuclear capsule, or, in the case of sealed-pit weapons, the arming plug without which the weapon cannot be detonated.

(4) When authority to expend is received and authenticated, the U.S. custodian would insert the capsule or arming plug as appropriate.

b. For some quick reaction forces, modifications of this sequence are required in the interests of time; and, in some cases, modifications are dictated by weapon characteristics. For example, effectiveness of the NIKE HERCULES air defense missile system depends upon having some missiles mated on launchers at all times. However, with the NIKE HERCULES system three positive and absolute controls are maintained by the U.S. custodians, namely: retention of the warhead arming plug, retention of the motor igniters and their closure plugs, and control of the firing console.

c. Other quick reaction systems, such as the THOR and JUPITER IRBMs and the [REDACTED], are not subject to the same procedures. The reason is that when weapon and vehicle are mated it is not practical to remove and retain in storage a vital element of the weapon without imposing time and technical factors which would unduly delay the reaction time and possibly introduce some degradation of the system safety. In the IRBM systems there are a number of events which must take place prior to launch which require the knowledge and participation of the U.S. custodial detachment. At the final moment of launch, however, U.S. control and possession rests upon two factors; namely, the basic governmental

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agreement between the parties concerned and positive control of the launching by the U.S. custodian. We believe that these two factors constitute "possession" or "custody" of the warhead as intended by the law. We agree that the "two-key" feature referred to by Senator Anderson does constitute joint control of the IRBM system as intended by the basic governmental agreements. We maintain, however, that the overriding control of the launch by the U.S. custodian constitutes full possession of the weapon.

d. The Department of Defense had not prescribed minimum criteria to be observed by the Unified or Specified Commands and the military departments in recommending custodial arrangements for quick reaction applications. Those are arrangements which must be developed on the initiative of the Commands concerned in the light of their assigned responsibilities and the reaction times required for the effective use of Allied Forces. The arrangements considered to be consistent with the above principles are examined in minute detail by the Joint Chiefs of Staff and the Secretary of Defense to insure that they are consistent with the principles of military readiness and are adequate to insure that it would take an act of force as well as a breach of international agreement to obtain either weapons or information concerning them without proper authorization. In reviewing the proposed arrangements it was a fundamental requirement that whenever it can be done without gross violation of the principle of military readiness, at least one essential component of the weapon would be removed and retained by the U.S. custodian separately from the weapon until authorization for expenditure is received and authenticated.

(~~SECRET~~) Senator Anderson's definition of exclusive custody appeared to be at odds with several arrangements then in effect or proposed. Specific arrangements either in effect or proposed at that time were:

a. International agreements and corresponding technical arrangements concerning [REDACTED]

b. The NATO Stockpile Plan and implemented by technical arrangements, the mating of HONEST JOHN and CORPORAL missiles when specifically authorized by SACEUR (USCINCEUR).

c. Covered by the NATO Stockpile Plan to become effective with completion of technical arrangements, the mating of NIKE HERCULES with US warhead made available to NATO allies under the Military Assistance Program.

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d. Proposed by SACEUR and under consideration by the JCS, a strip alert for allied tactical aircraft (F-84 and F-100) with US weapons attached (no flights to be authorized until weapons are released for expenditure).

e. Proposed by JCS and under DoD consideration, the supply of US depth bombs for ASW aboard allied ships and/or aircraft.

(U) With the exception of a. and e. above, the arrangements had proceeded without the specific approval of the Secretary of Defense under the authority of the Joint Chiefs of Staff and/or SACEUR on the grounds that they were:

a. Fully consistent with the basic U.S. policy as pronounced at the NATO meeting of December 17, 1957; and

b. In consonance with the basic principles of custody as agreed by State, Defense, and the Atomic Energy Commission.

(U) In reply to the letter from the Chairman, JCAE, the State Department agreed with DoD in that "the proposed arrangements covering the armed aircraft on the ground satisfy the DoD requirements which would be maintained until an enemy attack was imminent and that the President has the constitutional authority to permit the weapons to become airborne at such time." The letter further went on to define the Department's responsibilities as regards arrangements for the deployment, positioning and readying abroad of nuclear weapons. "Essentially it consists of participation in the determination of policy, negotiation of necessary agreements and general supervision of the execution of such agreements."

~~(SECRET)~~ In the meantime, the Genie program, which had been held up at the request of the JCAE in late 1959, finally expired in the summer of 1960 due to a lack of funds. The Joint Committee took little notice of the program's demise and, in the fall of 1960, it authorized an Ad Hoc Subcommittee to go to Europe and conduct an extensive investigation of the NATO stockpile, the results of which we shall see shortly. At this point, however, it would be most appropriate to consider the origin and purpose of the Joint Committee on Atomic Energy and the significant role it has played in the custody, control and dispersal of nuclear weapons.

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CHAPTER 10

"WATCHDOG"

THE JOINT COMMITTEE ON ATOMIC ENERGY

"The importance of the field of atomic energy, coupled with the unique character of the problems raised by its development, makes it peculiarly desirable and necessary that the Congress be fully acquainted at all times with the work of the Commission. The bill in section 16 makes provision for reports which will contribute to this end.

"More important, however, is the provision for the establishment of a joint congressional committee, to be composed of nine Members of the Senate and nine Members of the House of Representatives, directed to make continuing studies of the activities of the Atomic Energy Commission and of problems related to the development, use, and control of atomic energy.

"The joint committee is empowered to hold hearings, to act on legislation, and to equip itself with a staff of such experts and technicians as it deems necessary to carry out its functions.

"The usefulness of such a committee in focusing responsibility in the Congress and in keeping the legislature informed cannot be overemphasized. The joint committee will be in a position to give substantial aid to the Appropriations Committee; and to give consideration to supplementary and amending legislation as the need arises."

(U) This statement, in the original report of the Special Senate Committee which reported out the McMahon Act, indicated the "watchdog" role that the Joint Committee was to perform as one of the two primary institutions in the civilian control of atomic energy.

(U) Unique in its legislative functions and powers, the JCAE has indeed fulfilled its "watchdog" role for the Congress and public over both the military and AEC. In the early years of almost total civilian control it dealt primarily, and of necessity, with the activities of the AEC. However, by 1954 it was becoming increasingly concerned with the growth of military authority over the weaponry aspects of atomic energy.

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(U) Under the 1954 amendment to the Atomic Energy Act, the Defense Department was given authority to transmit atomic information constituting Restricted Data to foreign countries. It should be noted, however, that this information was necessary in connection with activities which normally would be handled directly by the military; i. e., planning, training, and defense against atomic weapons. Also AEC was to "assist" the Defense Department and participate in a joint determination as to the extent of weapons information to be transferred. On Restricted Data relative to research, development, and production of special nuclear material the Atomic Energy Commission was given responsibility for transmittal of information without Defense Department "assistance."

~~(SECRET)~~ Another somewhat obscure change or interpretation in the law apparently permitted the Defense Department to deal with nuclear components of weapons and nuclear warheads of missiles separately from the weapons system and the missile itself from the standpoint of secrecy classification and custody. This was later to be interpreted by the Defense Department to permit the transfer [REDACTED] and to permit nuclear warheads on missiles to be treated separately from the missile vehicle itself in terms of development and manufacture, and transfer of ownership and classified information. This was accomplished primarily by the new definition of atomic weapons in section 11 d.

(U) In connection with the 1954 amendment to the Atomic Energy Act, Congressmen Holifield and Price stated in part their dissenting views:

"Although we do not believe H. R. 9757 departs in any fundamental way from the accepted principle of civilian control and management of the atomic energy program, we wish to take this opportunity to alert the Congress and the public to the possibilities that lie ahead.

"It is generally acknowledged that atomic weapons are rapidly achieving a conventional status in military planning for national and allied defenses. Accordingly, we may expect that the military will steadily seek increasing control over the weapons phases of the atomic energy program. This is not said in criticism but only as a reminder that there are bounds which the military must not transgress if the principle of civilian control is to be maintained."

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(U) To somewhat balance the additional grants of authority to the Defense Department, the Joint Committee added, and the Congress enacted, certain provisions intended to strengthen the Joint Committee's "watchdog" position in relation to the Military. First it added a provision to section 202 of the Act to make the Defense Department subject to the same requirement as the AEC in keeping the Joint Committee fully and currently informed as to all its activities relating to atomic energy. The Joint Committee report on this provision in 1954 stated that the obligation applied to pending matters as well as those where the Defense Department had taken final action or reached a position. Secondly it added provisos to sections 144 and 123 to require that all agreements of cooperation, including military agreements of cooperation, must lie before the Joint Committee for thirty days before becoming effective.

(U) Following the Soviet sputniks and the resultant NATO conference in the fall and winter of 1957, the Executive Branch proposed additional revisions to sections 144 and 91 of the Act to shore up U.S. alliances in the face of the increasing Soviet technological and missile threat.

(U) The proposed bill provided for the elimination of the proviso in section 144 b. preventing the communication by the Defense Department of "important information" on weapons design in connection with training activities. A new section 144 c. was proposed to be added which would permit complete exchange of design information on atomic weapons and submarines between the AEC and foreign countries. A new section 91 c. was proposed to permit the President to authorize the AEC or the Defense Department, as appropriate, to transfer to cooperating nations nonnuclear parts of weapons and weapons systems; nuclear reactors for submarines and other military applications; and source, by-product and special nuclear material (^U235 and plutonium) for use in weapons or in nuclear reactors for military applications.

(U) None of these provisions changed the previous pattern as to responsibilities between the AEC and the Defense Department. However, the Defense Department did obtain greater authority in the trans-classification of information. The division of responsibilities, however, between the AEC and the Defense Department was left somewhat vague in section 91 c.

(U) As responsibility between the AEC and the Defense Department was not changed significantly, the extent of permissible transfer and exchange of atomic information, materials, and nonnuclear parts with foreign allies was substantially enlarged. This caused certain segments of the scientific

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community, and certain groups with pacifist leanings, to view the proposals with alarm. The principal basis of their fears was not so much the military, as the stimulation of the nuclear arms race with the Soviet bloc, and the possible facilitation of the entry of a "fourth" nation and subsequently other countries into the atomic weapons picture. The Defense Department provided a substantial portion of the testimony in favor of the amendments. Among others, an assurance was given that custody of nuclear weapons components would be maintained and protected separate from the carrying vehicle: i.e., aircraft or missile. This assurance would become the subject of considerable subsequent discussion.

(U) The Joint Committee in reporting out the 1958 amendments, and Chairman Anderson on the Senate floor, added a number of restrictions and limitations. One of these had the effect of limiting detailed weapons cooperation with the British. Another gave the Congress veto power over future military agreements for cooperation by means of increasing the waiting period from thirty to sixty days and provided that no agreement could become effective if a concurrent resolution of disapproval should be adopted by the two Houses of the Congress during the sixty day waiting period.

(U) On February 3, 1960, Chairman Anderson felt it necessary to issue a statement concerning the President's answer at a press conference to a question whether the United States should transfer nuclear weapons to its allies.

"When the present law was adopted in 1958 (P. L. 85-479) the officials testifying to the Joint Committee time after time stated that it was not intended and that the law, if amended in accordance with their recommendations, would not permit completed nuclear weapons or the nuclear components of weapons to be transferred to a foreign country or to get beyond the custody of the United States forces. In turn, the Joint Committee in its report, and members of the Joint Committee on the Floor of the Congress, defended the amendments to the law and the agreements thereunder, stating that no transfer of weapons or nuclear components was intended or permitted and that the United States would maintain custody of such weapons....

"We therefore have a right to assume that any program the President may have to share our arms with our allies will not violate this provision, unless a change in the law is requested by the President and approved by the Congress."

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(U) In a speech on the Floor of Congress on February 9, 1960, Congressman Holifield spoke of the problem of "erosion of civilian control" in relation to proposed arrangements for custody or transfer of atomic weapons to NATO countries. He stated:

"There has been a constant campaign to obtain acceptance of the fiction that 'after all a nuclear weapon is just another weapon.' 'The nuclear weapon is a conventional weapon now.' I regret to say that there has been an erosion of civilian control. Part of this erosion is due to a gradual step-by-step surrender to the steady pressure of our strong and entrenched military bloc. Part of it is due to the multiplication of nuclear weapon types and quantities in inventory."

"These problems will not go away nor will they be solved by our refusal to recognize that technological change has made obsolete the old and cumbersome procedures.

"My plea is that we do not try to solve them through subterfuge or a calculated program of deceit. Let us lay the problem on the table and talk sense to the American people and our allies. Unless we can bear the burden of new challenges, through the exercise of our historic democratic processes of discussion, debate, and publicly arrived at decisions, then our way of life is doomed."

(~~SFRD~~) In December 1960 Mr. Holifield's Ad Hoc Subcommittee returned from its investigative tour of Europe and submitted a detailed report on its findings. The findings and recommendations covered the entire spectrum of nuclear weapons activities in Europe. Among these were:

Protecting [redacted] from rifle fire.

Stopping plans to place [redacted] and replacing them with Polaris.

Protecting weapons against radiography.

Improving the NATO communications system, training of allied delivery crews, and U.S. emergency evacuation capabilities.

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Increasing the number of emergency ordnance dispersal personnel.

Reevaluation of US-NATO relationships, policies and commitments.

Installing a permissive action link (PAL) on all weapons in NATO Europe.

~~(SERP)~~ However, it was in the area of custody and cooperative military arrangements with NATO countries that the subcommittee expressed its greatest ire and concern. It broiled the Defense Department in a cold scathing indictment for failing to comply with both the letter and spirit of the law.

"It is the considered opinion of the Joint Committee that the State Department and the Defense Department have failed to comply with the intent of the Atomic Energy Act by the manner in which they have entered into International Arrangements for the possession, use and control of U.S. owned nuclear weapons and in the failure of the Defense Department to keep the Congress, through the Joint Committee, currently and fully informed.

"As discussed in previous actions, there is serious doubt whether the facts of the limited possession exercised by U.S. custodial forces of nuclear weapons in 'alert' positions of combat readiness (on planes on the pad and mated to missiles) are consistent with the requirements of section 92 of the Atomic Energy Act of 1954. This section prohibits any person, including a foreign government, to possess a U.S. atomic weapon.

"Certainly such 'alert' procedures are contrary to Congressional intent, and to representations made by the Defense Department to Congress at the time the law was amended in 1958. At that time it was represented that nuclear components of warheads and bombs would be kept separate from the aircraft or missile carrier.

"Moreover the means of placing such 'alert' procedures in effect were carried on outside of the framework prescribed by the Atomic Energy Act of 1954, as amended in 1958.

"Although the Atomic Energy Act of 1954 provides for a program of administration with international arrangements requiring approval by the Congress and Agreements for Cooperation subject to Congressional action as to the development, use and control of atomic energy (sections 3 f., 11 l., 123) the Executive Branch has entered into numerous international arrangements without

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notification to and approval of the Congress. At the same time and through a number of secret executive international agreements and arrangements as to the use and control of atomic energy not provided for under the Atomic Energy Act, it has limited the purpose and effectiveness of the statutory Agreements for Cooperation.

"When one compares the various types of agreements and arrangements the United States now has with these various nations and the types and degree of our cooperation under them, one realizes the relative limited importance being attached to the legislatively authorized Agreements for Cooperation. In comparison it appears that our cooperation in the development of defense plans, the training of personnel in the employment of atomic weapons and the development of atomic operational capability is being conducted principally under arrangements other than the Agreements for Cooperation.

"For example, as observed



were approved by the U.S. Joint Chiefs of Staff and Office of the Secretary of Defense during 1960 without either an Agreement for Cooperation or Stockpile Agreement with that nation and without notice to the Joint Committee or concurrence of the AEC.

"In addition,



It was understood that the warheads for these shorter range missiles, similar to those assigned to other nations, were not to be mated, but to remain in the custody and possession of U.S. custodial detachments until hostilities. However, there was some indication that new 'alert procedures' might authorize mating of warheads to missiles in periods of 'tension'.

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"In each of the countries visited, it was found that little or no Restricted Data was being given to the foreign operating personnel (as distinct from higher administrative authorities), even when there was in existence an Agreement for Cooperation and the information had been transmitted by the United States Government to that nation. Certain questions occur: Why have higher administrative authorities withheld or delayed transfer of Restricted Data to the operational personnel? -- Does such delay effect the operational capability? -- Were the legislative provisions of the 1958 amendments to Section 144b necessary?

"In only one type of weapons system observed under the NATO atomic strike plan has it been interpreted that an Agreement for Cooperation is required prior to the foreign user force achieving operational capability, and that is in the fighter bomber area, and then only in the final two weeks of training.

"As further indication of the relatively limited extent to which Agreements for Cooperation control in international cooperation in the uses of atomic weapons, the U.S. to date has signed Stockpile Agreements with [REDACTED] [REDACTED] for atomic support of their forces without any Agreement for Cooperation with these nations. Also, prior to our Agreements for Cooperation with [REDACTED] in 1959, we already had Stockpile Agreements with both countries including the detailed technical service-to-service arrangements between their Army and Air Forces and ours. As was previously noted, Stockpile Agreements apply to nuclear weapons for use by the foreign force.

Recommendation

"1. The Executive Branch and Congress should recognize that there are serious doubts as to whether the present NATO alert procedures are consistent with U.S. law and Congressional intent. If it is planned to continue such procedures, or institute procedures which permit in point of fact some measure of joint possession or control over U.S. weapons, then the problem should be faced directly and the law should be proposed for change under established procedures; i. e., legislative hearings and debate.

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"2. The basic policies under which custody, possession and control of United States nuclear warheads are to be maintained should be contained in the Stockpile Agreements or other Government-to-Government agreements rather than in military service-to-service arrangements. The Government-to-Government agreements, in turn, should come under the requirements of sections 91 c., 144 b., and 123 in the nature of Agreements for Cooperation subject to Congressional review, or else as international agreements approved by Congress or as treaties. To the extent they contain classified annexes or details, like Agreements for Cooperation, classified parts need not be made public, but can be reviewed in executive session by the legislative committee or committees having responsibility.

"In compliance with sections 202 and 3 f., of the Atomic Energy Act of 1954, the Defense Department should keep the Joint Committee currently and fully informed 'with respect to all matters within the Department of Defense relating to the development, utilization or application of atomic energy.' Major policy decisions, in particular, as for example the change in U.S. custody concept from separate U.S. maintenance and possession of warheads to the mating of the warhead to non-U.S. delivery vehicles in peacetime are matters of which the Legislative Branch through the Joint Committee should have been informed promptly at the time they were made. The January 1960 decision by SACEUR to place NATO atomic strike forces on Quick Reaction Alert with complete nuclear weapons aboard non-U.S. planes and missiles should have been brought to the Joint Committee's attention at the time or shortly before; not after the order had been implemented or as occurred, after the procedures had gone into effect in July 1960.

"In accordance with its legal responsibility to initiate notification to the Committee, the Defense Department must recognize that it does not comply with the law when it fails to furnish information until after the Committee requests it or when the Committee has to obtain its initial information through other sources."

(U) The report was submitted in early 1961, and a more opportune time could never have been found. The new regime of John Kennedy was engaged in a sweeping reappraisal of our national policies and entire defense posture. The findings of the report appears to have confirmed fears that the Defense

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Department, with its multitudinous layers of semi-autonomous authority, had become unmanageable, and that the past administration had permitted the situation to deteriorate to the point where the "nuclear genie" was almost out of the bottle. While DoD had won its battle for custody, it was soon to lose the war for control of nuclear weapons and the JCAE report just might have provided the decisive blow.

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CHAPTER 11

FLEXIBLE RESPONSE

(S) The Eisenhower administration had adopted a military strategy of nuclear response for all but the most minor aggressions. The declared objective of this policy was to reduce costs and manpower requirements. This policy, strongly backed by the then Chairman of the Joint Chiefs of Staff, Admiral Radford, had been approved in the fall of 1953 as NSC 162/2, and late in 1954 this policy was extended by a decision to make nuclear weapons available to NATO forces in compensation for the failure to achieve conventional force goals. In 1956, the NATO Strategic Concept, MC 14/2, was adopted which directed the Supreme Commander, in the defense of Europe, to defend as far forward as possible and to count on the use of tactical nuclear weapons from the onset. As a result, the ground forces were vigorously reorganizing to implement the atomic doctrine.

(SFRD) In July, 1957, Secretary of State Dulles disclosed that the United States was "studying" the idea of transferring custody of the nuclear stockpile in Western Europe to the North Atlantic Treaty Organization itself. The North Atlantic Council decided on December 19, 1957, to establish European based stockpiles to make possible the implementation of the previously adopted strategic concept MC 14/2. Henry Kissinger's book, Nuclear Weapons and Foreign Policy, helped to present a case for limited nuclear war (published in 1957). Finally, in June 1958, the JCS after careful study, recommended a stockpile level of from 51,000 to 73,000 warheads by 1968.

(U) In 1961 the new Kennedy Administration immediately began to revise the policy. The NATO Policy Review Group was established. One of the main objectives of the NATO Policy Review Group was President Kennedy's objective of getting "the nuclear genie back in the bottle" -- at least in the European Theater. It took approximately one month for the review group to develop a position paper titled A Review of North Atlantic Problems for the Future (known as the Acheson Report). As a result of this study a policy directive was approved by the President on April 21, 1961 and transmitted to the National Security Council in a document called NATO and the Atlantic Nations.

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(S) The long-range policy proposed in the report was the development of conventional forces in NATO capable of meeting and holding any possible Soviet assault in the European Theater. The function of nuclear weapons in the European Theater was to be primarily diplomatic -- their use to be only as an additional and rather minor contribution to general nuclear war with the Soviet Union in conjunction with Single Integrated Operational Plan (SIOP) forces.

(S) The short range policy recommended the cessation of development of limited war nuclear systems designed for the European continent, particularly long-range systems such as MRBMs. The report recommended halting the deployment of already developed systems except where this was politically unfeasible, and the quick securing of deployed weapons against any possible unauthorized use. Finally, it was recommended that SACEUR's operations planning procedure in the theater be clarified and that, in particular, local commanders be directed not to use nuclear weapons even in self defense without the explicit authority of the President of the United States or those to whom his authority had been transmitted.

(S) The proposed changes were not accepted readily by the JCS, who stated:

"It is the opinion of the Joint Chiefs of Staff that NATO strategy, together with SACEUR's interpretation, adequately contemplates a flexible response to the various forms of aggression which might take place in the NATO area. The Joint Chiefs of Staff agree that all NATO forces must be built to and maintained at or near full strength, well trained and provided with adequate reserves. Modernization of these forces, both conventional and nuclear, must continue."

(S) The NATO Policy Review Group had gathered a considerable amount of data and had also posed many searching questions to DoD. In response to a request from Mr. McGeorge Bundy of March 2, 1961, the Deputy Secretary of Defense, Mr. Roswell Gilpatrick, forwarded information the next day showing the present location of nuclear weapons by geographic area and military commands. Mr. Gilpatrick also pointed out that:

". . . , based on present concepts and planning it has been forecast that our requirements for nuclear weapons will double by 1969. In order to effect any significant reduction in such requirements it will be necessary to revise the present stated concept regarding the use of nuclear weapons in support of tactical operations in other than general war situations. The present guidance on this point has been interpreted as supporting constantly increasing requirements for nuclear weapons designed for tactical

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use. Obviously, no such change in concepts or guidance should be made other than in consonance with our national security policy which may be revised in connection with the review now being made of NSC 5906/1."

(U) At this point of time in our history the demise of the "massive retaliation" policy was imminent if not actual. The doctrine of "flexible response" had arrived even though it had yet to be implemented.

~~(S)~~ The change in philosophy was not the only trauma which arose at that time. On the 7th of February 1961, the acting AEC Chairman notified the President that:

"The Commission plans to defer action to implement the directive of 16 January 1961 for a reasonable period in order to give you an opportunity to review it."

This was President Eisenhower's nuclear weapons dispersal authorization as of 30 June 1961. The Joint Chiefs of Staff protested the unilateral AEC action of withholding implementation of approved dispersal of new and improved weapons and the large shortfall in weapon production.

~~(SRD)~~ The effect of the decision by the Acting AEC Chairman to defer action on the Presidential directive of 16 January 1961, although restrictive, was not really critical for the following reasons:

a. The slippage in production of weapons. (During the first 8 1/2 months of FY 1961, the AEC had produced only 49% of the weapons scheduled to be produced in FY 1961.)

b. The AEC concentrated on producing battle area and air defense weapons. (As of 15 March 1961, 52% of the weapons produced were of these types.) Many of these weapons were produced for and were to be used in overseas areas where the construction of suitable storage, surveillance, and security facilities had not been completed, or where political arrangements had not been completed for stockpiling. These weapons, being in AEC custody, permitted other types of weapons to be dispersed as long as FY 1960 dispersal credits were available. Also, since the AEC FY 1960 production of weapons also had slipped, a sizeable number of FY 1960 dispersal credits was carried over into FY 1961.

c. The return to AEC custody of approximately ████████ obsolete weapons in FY 1961 for the recovery of reactor material permitted the dispersal of new weapons.

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(8) The impact of this decision on operational plans--especially the SIOP which had already gone into effect--was, however, considered to be critical.

(8) The Commission's decision was motivated by two considerations: (1) their concern as to the advisability of continuing the deployment of nuclear weapons to foreign areas, particularly to Western Europe; and (2) their concern that the contemplated additional transfers of weapons from National Stockpile Sites under Atomic Energy Commission custody to storage sites adjacent to military bases under Department of Defense custody was eroding the civilian control of atomic weapons originally contemplated by the Atomic Energy Act.

(8) Mr. Gilpatrick expressed his concern in a letter to the President on April 11, 1961, in which he stated:

"As you know, the matter of U.S. nuclear weapons support for NATO is under intensive study as a result of which a decision as to the future course of action concerning allocation of nuclear weapons to support non-US NATO forces will be reached. I agree that until such a decision is reached no further dispersals to be allocated for the support of non-U.S. forces should be made.

"I am of the opinion, however, that the remainder of the dispersal program set forth in the directive referred to in the Commission's letter should proceed as rapidly as the status of weapons production permits. Included in the program, in addition to weapons for U.S. forces deployed to the United Kingdom and to Western Europe, are much larger numbers to fill out the complements of the strategic and air defense systems in the United States and the air defense and anti-submarine warfare systems employed by CINCPAC and CINCLANT. I am particularly concerned that weapons be made available for the ATLAS, TITAN and POLARIS missiles as rapidly as these missiles become operational and that our capability to implement the Single Integrated Operational Plan (SIOP) not be inhibited by withholding the most modern weapons from our strategic forces.

"Accordingly, I recommend that you authorize the Atomic Energy Commission and the Secretary of Defense to proceed with the dispersal plan of January 16, 1961, with the understanding that no further dispersals for allocation to non-U.S. forces will be made under that authority. In this connection, it is clear that due to production delays the dispersal program for Fiscal Year 1961 will not be actually implemented in full until well into Calendar Year 1962.

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I consider it desirable, however, that with the exception indicated above the program be approved as an objective to be attained as early as practicable in the light of the availability of weapons and the desirability of retaining a substantial reserve in the National Stockpile Sites.

"With respect to the second point on which the Commission has expressed concern, I cannot agree that transfer of weapons from the custody of the Atomic Energy Commission to the Department of Defense constitutes an erosion of civilian control."

(U) It became evident that the longstanding fears of the AEC regarding military control had not dissipated but merely had lain dormant, waiting for the right moment to voice concern to a receptive ear. The "new broom sweeping clean" might just provide that type of a favorable environment in which to air these views.

~~(S)~~ This was not to be the case, however, because, on May 20, 1961, President Kennedy approved the dispersal plan of January 16th provided that additional weapons were not dispersed in support of non-US forces and subject to "the desirability of retaining a substantial reserve in the National Stockpile Sites." The President also requested that NATO strategy studies be made and the recommendations based thereon be communicated to him before dispersals for support of non-US forces were to be resumed.

~~(S)~~ Dr. Seaborg, then Chairman of the AEC, notified Mr. Bundy three weeks later that the Commission had released the first increment of weapons to the DoD for dispersal but would not release additional weapons until the President's letter of May 20 was clarified. The terms in question were "National Stockpile Sites" and "substantial reserve". The name of the game appeared to be another effort on the part of the AEC to resurface the issue of custody and control of nuclear weapons.

~~(SFRD)~~ The dispersal plan provided for a total of [REDACTED] weapons in the JCS reserve with [REDACTED] of these weapons in the custody of the AEC and [REDACTED] in DoD custody, subject to JCS control. DoD believed that these numbers which had been presented to the President in the dispersal program met "the desirability of retaining a substantial reserve in the 'National Stockpile Sites.'" This interpretation was evidently discussed with representatives of the Division of Military Application, Atomic Energy Commission who, it is said (in an OSD memorandum) agreed with their OSD counterparts. Mr. Gilpatrick so informed Mr. Bundy by letter on June 22, 1961 and recommended going ahead with the dispersal plan less weapons for support

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of non-US forces. Approval for these was given and AEC was directed to transfer the authorized weapons to the Defense Department for support of US forces in accordance with the plan of January 16th.

(SFRD) Meanwhile, the new administration was quite busy in a number of other areas involving nuclear weapons. Literally hundreds of questions were pouring out of the administration's study groups in the White House and Executive Office Building. Probing, searching, penetrating, groping, they covered the entire spectrum of nuclear weapon activities. Command, control, communications, release procedures, timely destruction of dispersed weapons (particularly two stage weapons) to prevent capture, disclosure of Restricted Data to NATO countries, protection of Restricted Data under conditions of either attack by internal elements of host nations or through capture by external enemy forces, installation of a permissive action link or launch enabling system in the Jupiter, control and transfer of weapons [REDACTED] decentralization or predelegation of Presidential release authority for defensive weapons to lower echelons of command, and safety of nuclear weapons were just some of the areas being studied in the effort to find the ways and means of getting the "genie back in the bottle" and realigning our nuclear capabilities.

(U) A detailed analysis of each of these areas is not within the scope of this study. They will be referred to only in so far as they directly affect (and quite a few of them do) the control, custody and dispersal of nuclear weapons. One of the most important of these areas, particularly at this point in time, concerned US-NATO military nuclear arrangements.

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CHAPTER 12

US-NATO MILITARY NUCLEAR ARRANGEMENTS

(U) The Atomic Energy Act of 1954 extended the 1946 Act in authorizing cooperation with our allies in the military uses of atomic energy. Section 3 of the Act carried out the policy of making the maximum contribution to the common defense and security by providing for a number of programs including:

"a program for Government control of the possession, use, and production of atomic energy and special nuclear material so directed as to make the maximum contribution to the common defense and security and the national welfare;

"a program of international cooperation to promote the common defense and security and to make available to cooperating nations the benefits of peaceful applications of atomic energy as widely as expanding technology and considerations of the common defense and security will permit; and

"a program of administration which will be consistent with the foregoing policies and programs, with international arrangements, and with agreements for cooperation, which will enable the Congress to be currently informed so as to take further legislative action as may be appropriate."

The amendments to the 1954 Act in the 1958 Public Law (85-479) greatly broadened the authority for cooperation with the allies in nuclear weapons matters. There were, however, limitations imposed by:

1. Section 91c pertaining to the transfer of atomic material and parts of weapons and weapons systems,
2. Sections 144b and 144c pertaining to the requirement to submit Agreements for Cooperation to Congressional review under Section 123, and,
3. Section 92 pertaining to possession by any foreign government or its agents of a US atomic weapon.

(U) While such words as control, use, possession and transfer appear in the Atomic Energy Act, the word custody was nowhere to be found. The first use of it appears to have been made by the Secretary of State,

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John Foster Dulles, in offering US support to the NATO General Council in December 1957, when he stated:

"... would deploy nuclear warheads under U.S. custody in accordance with NATO defensive planning and in agreement with the nations directly concerned. In the event of hostilities, nuclear warheads would be released to the appropriate NATO supreme allied commander for employment by nuclear capable forces."

SHAPE defined the word as the degree of US control of access to US nuclear weapons, to the extent that it would take an act of force to obtain either weapons or information concerning weapons without proper authorization. The degree of force needed was not spelled out. It was the substitution of the word "custody" for the word "possession" and the broader control procedures based thereon by DoD to which the JCAE objected.

(C) The US Government's nuclear weapons support of NATO and allied nations necessitated many different types of agreements and arrangements. The following is a general summary:

a. Mutual Security Agreements

These provide for supplying US equipment including weapon delivery systems to individual nations.

b. Status of Forces Agreements

These cover the stationing of US forces in individual countries and codify US and host country legal rights.

c. Storage Agreements

Agreements between the US and individual host countries for the introduction and storage of US nuclear weapons in support of US delivery forces (as distinct from the foreign nation's forces).

d. Agreements for Cooperation

Formal agreements between the United States and an individual member of NATO (can also be with NATO directly) involving the communication of information or the transfer of certain types of equipment involving Restricted Data. (This type of agreement is specifically provided for in the Atomic Energy Act.)

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e. NATO Stockpile Agreements

NATO Stockpile Agreements between each user nation and the US covering the introduction, storage, and employment of US nuclear weapons for support of the allied nation's forces. Included in these agreements are policy matters such as:

- (1) Cost sharing and construction criteria.
- (2) Custody, security and release of weapons.
- (3) Maintenance and positioning of weapons.
- (4) Logistical support of US forces.

f. Service-to-Service Technical Arrangements

(1) These military service-level arrangements are supplementary to the NATO Stockpile Agreements above and are made between the U.S. Air Force, Army or Navy and the corresponding military service of the other nation.

(2) These arrangements cover such items as standing operating procedures, maintenance and logistics support responsibilities for barracks, dependent housing, feeding, access roads, transportation, communications and U.S. and supported force responsibilities in the stockpile-to-target sequence of operations involving nuclear weapons.

(c) The last three types of agreements were required to be concluded before the United States could deploy U.S. nuclear weapons in support of weapons systems manned by the non-U.S. forces of the cooperating countries. There was, however, one other authorization necessary and that was the necessity for obtaining Presidential approval to disperse nuclear weapons to areas outside the contiguous limits (48 states) of the United States.

(c) In retrospect, however, there was a decided lack of overall written policy guidance by the Executive Branch in this area. In the absence of this guidance, and in view of the necessity for strengthening our defenses in Western Europe, the Defense Department and the Services proceeded to go their sometimes separate ways. An insight into the degree of informality involved in the first of the storage agreements is afforded by a recount of some negotiations with the United Kingdom in 1947 during the Truman Administration.

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(SFRD) The United Kingdom had accepted the introduction of complete atomic weapons by the United States into the United Kingdom. These arrangements were on a service-to-service basis. Construction of storage facilities was undertaken on the basis of oral arrangements in 1947 between the Chief of Air Staff, Royal Air Force and the Chief of Staff, United States Air Force. Introduction and storage of complete atomic weapons was arranged for in 1949 by the Commanding General, Third Air Force, with the Chief of Air Staff, Royal Air Force. No further Service level arrangements were found necessary. The Commanding General, Seventh Air Division, subsequently discussed these arrangements with Prime Minister Churchill who orally expressed his approval.

(SFRD) A number of formal bilateral and multilateral agreements had been coordinated with NATO countries subsequent to this "understanding" with the United Kingdom. Among the first was the agreement with NATO as a regional organization whereby the U.S. agreed to provide certain classified information pertaining to atomic weaponry (excluding design data) which was deemed necessary for the common defense and security of Europe. In addition, the U.S. would provide warheads under U.S. custody for NATO forces to include [REDACTED] units. It was under this agreement that the warheads were deployed and the "two key" procedures evolved when both the [REDACTED] warheads were mated to the missiles. Launch of the missiles could only be accomplished by inserting two keys in the launch control panel. One key was held by the U.S. warhead custodian, the other by an officer of the non-U.S. missile unit. U.S. custody then "hung by the thin thread" of one key. This was one of the procedures to which the JCAE objected.

(SFRD) The U.K. [REDACTED] under a bilateral non-NATO agreement with the U.S. on February 22, 1958. The warheads were dispersed to England in October 1958 and mated in 1959.

(SFRD) The "two key" arrangement was developed for the [REDACTED] put into effect for [REDACTED]. A bilateral NATO agreement was signed with [REDACTED]

[REDACTED] There were then four basic types of programs of cooperation--with NATO as a regional organization for transmittal of information only, with [REDACTED] with NATO for providing US warhead support for the [REDACTED], and bilaterally with individual NATO countries for providing US warhead support to their indigenous forces.

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(U) To bring order out of chaos, under the disclosures of the JCAE, NSAM 143 and NSAM 197 were formulated.

(U) The various programs of cooperation and agreements, however, were not the basic problems of US support of NATO. The North Atlantic Council on May 1, 1958 noted (C-R(58)30), MC 70, the report of the Military Committee on the minimum essential force requirements for the period 1958-1963. It further approved for planning purposes the total force requirements defined by the document for the period up through 1963 and accepted the country breakdowns as guidance for the 1958 Annual Review. The United States agreed to the Council action and the Military Committee expressed no reservations with respect to the goals enumerated in the annexes.

(S) A Presidential policy directive on April 24, 1961 indicated that we should not provide nuclear delivery systems additional to those which we were already specifically committed to provide to allied countries unless further studies indicated that such provision met certain specified and restrictive criteria. Based on this guidance, State and DoD jointly prepared and agreed, in May 1961, on a list of nuclear delivery systems which the US was committed to provide each of its allies. This list contained two categories: first, those undelivered nuclear capable weapons which could not be cancelled without serious adverse political effects; and, second, those weapons programs for NATO enumerated in MC 70 which it was judged at that time could be cancelled without such effects. The principal criteria for which programs were deemed cancellable were: (1) absence up to that time of country requests for the delivery systems; (2) the fact that the weapons had not been offered by the US previously to the country; (3) unwillingness of certain countries to accept nuclear components [REDACTED]; and (4) the approaching obsolescence of certain weapons systems included in the MC 70 country breakdowns.

(S) MC 26/4 superseded MC 70 and projected NATO force goals, including both conventional and nuclear weapons, through 1966. Although also based on the Political Directive of 1956 and on the relevant military documents (MC 14/2 and MC 48/2), these new force requirements purported to reflect a proper balance between nuclear and conventional forces. MC 26/4 established requirements for greater numbers of nuclear delivery systems as compared to MC 70. The Military Committee recommended that the conventional and nuclear forces enumerated in the document, except for MRBMs and nuclear submarines, should be noted by the North Atlantic Council as appropriate requirements for end-1966 and should be transmitted to the member countries and the NATO commanders as the basis for programming action. On January 5, 1962 the North Atlantic Council noted MC 26/4 and transmitted the document to the countries and the Major Commanders as

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recommended by the Military Committee (C-R(62)1). This action paralleled that taken by the NAC three years earlier with respect to MC 70. Ambassador Finletter stated in the Council that the United States approved the recommendations in MC 26/4, but added that "His authorities reserved the right to make proposals from time to time to improve NATO's military position."

(U) By March of 1962, the Defense Department had concluded a number of studies which had been directed by the President's memorandum of May 20, 1961, and as a result of the National Security Council action of April 24, 1961, "NATO and the Atlantic Nations". In a March 16th memorandum for the President, Mr. Gilpatrick stated that it was at that time not necessary to "endorse requirements for nuclear delivery systems over and above those we are already committed to provide, notably MC 26/4 requirements for end-1966, in view of possible changes in our NATO strategy and the fact that we are not yet committed to providing the enlarged nuclear support indicated by such force requirements."

(S) The Administration's determination that it was not bound to provide nuclear support for the MC 26/4 goals could only have been based upon the conclusion that the Council action of January 5 was in itself not a sufficient basis and that the goals in MC 26/4 were not "accepted" or "approved" in the same sense as those in MC 70. On the other hand, by its participation in the Council action on the end-1966 force goals, the United States could not but have given its Allies the impression at that time that to the extent they established and trained nuclear forces in accordance with NATO MC 26/4 requirements, the US would, as in the case of MC 70, supply nuclear warheads for such forces except for MRBMs and SSBNs. There is no evidence that our Allies were ever explicitly informed of our reservation for meeting the MC 26/4 force goals. The problem of nuclear support of NATO will continue to plague us for many years until the role of tactical nuclear weapons and forces can be definitively predicted, projected, and quantified, and a national policy is established regarding the use of nuclear weapons in Europe.

~~(SECRET)~~ Mr. Gilpatrick's memorandum of March 16 also stated that corrective action had been taken to remedy deficiencies in the areas of security, command and control, NATO communications, and US custodial procedures. DoD was developing a permissive action link on an urgent priority to be installed on nuclear weapons dispersed in support of non-US NATO forces. Again, regarding the whole question of NATO strategy and the role to be played by nuclear weapons, he thought it would be extremely disruptive to Alliance cohesion if we were now to withhold the

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nuclear weapons necessary to make fully effective those weapons systems which we had committed ourselves to support. Accordingly, he recommended that the DoD be authorized to disperse, under US custody, [redacted] nuclear weapons for use by non-US forces in FY 62. This was an increase of [redacted] weapons from the [redacted] actually dispersed as of December 15, 1961. The total increase in Europe, including weapons for US forces, would be from [redacted] to [redacted]. It was further emphasized that the dispersal program would be coordinated in such a way so as not to prejudice the forthcoming results of the review of NATO strategy. Four high yield versions of weapons planned for non-US strike aircraft would be withheld along with the necessary information concerning them to make non-US forces operational. The AEC had registered deep concern on the possibilities of compromising Restricted Data in these weapons and had not agreed to the dispersal or the transmission of information of high yield weapons (over [redacted] KT).

(~~SECRET~~) The President at a meeting on April 6, 1962 approved the dispersal of nuclear weapons in support of non-US forces as proposed in Mr. Gilpatrick's memorandum of March 16th. National Security Action Memorandum (NSAM) No. 143, dated April 10, 1962, promulgated the dispersal authorization subject to the following:

a. Until further notice and effective immediately, [redacted]

[redacted] exclusive of the United Kingdom. It was not intended to preclude the use on Alert aircraft of [redacted]

The effect of this limitation was to be reviewed by USCINCEUR/SACEUR.

b. Subject to the conditions in Paragraph a., authority was granted to disperse, under US custody, weapons in support of non-US forces as indicated in Annex A. [redacted]

c. Further dispersal of nuclear bombs in support of non-US NATO air forces [redacted] would be delayed pending a State-Defense review of the situation.

d. The Atomic Energy Commission was directed to develop and produce at the earliest practicable date permissive action links to increase custodial control of nuclear weapons dispersed in support of non-US NATO forces.

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(~~SECRET~~) The President also directed that "maximum effort as a matter of urgency will be made by the Atomic Energy Commission and the Department of Defense to develop, improve and install permissive action links in nuclear weapons deployed abroad."

(S) NSAM 143 required that ". . . authority for any additional dispersals may be sought, as necessary, on a case-by-case basis as the forces become operational, and in the light of continuing studies of NATO strategy."

(U) Thus, the President reserved to himself the authority for all future dispersals for support of non-US forces.

(S) As a result of differing philosophies regarding the interpretation of NSAM 143, the AEC and DoD requested clarification of NSAM 143 in a joint recommendation on September 22, 1962. On October 23, 1962, the President issued NSAM 197 which provided additional policy in relation to nuclear support of non-US forces.

"The communication of RESTRICTED DATA to another country for the purpose of training that country's forces in a nuclear delivery capability should be avoided when there is no intention of dispersing the weapons of that delivery system to the country. The impression should not be made that the US intends to provide forces of any country with a nuclear capability when such is not the case. It is necessary that consideration be given to all aspects of a proposed program of cooperation prior to a decision with respect to any single aspect of the cooperation, including the granting of RESTRICTED DATA. If all such factors are not considered prior to the initiation of the cooperative program, such a transfer of delivery vehicles, communication of RESTRICTED DATA for training or compatibility, or dispersal of related weapons, it is difficult to refrain from completing the balance of the mutual program once it has been started.

"Therefore, the Department of Defense will hereafter submit to the President, for approval in principle, proposed programs of cooperation with other nations which will involve communication of RESTRICTED DATA, transfer of delivery vehicles utilizing atomic weapons, or dispersal of atomic weapons, together with the views of interested agencies, including the Department of State and the Atomic Energy Commission, on those parts of the proposed programs which will affect their responsibilities. Presidential approval of such submittals will be restricted to approval in principle, reserving for future action Presidential authorization for dispersal of specific weapons. Presidential approval of such programs of cooperation will then provide the basis for future action by all responsible agencies."

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(S) NSAM 197 clarified the intent of NSAM 143. It required DoD to submit to the President for "approval in principle" proposed programs of cooperation with other nations which will involve the communication of Restricted Data, transfer of delivery vehicles utilizing atomic weapons together with the views of the Department of State and AEC. Presidential approval of such submittals was restricted to "approvals in principle", reserving for future action Presidential authorization for dispersal of specific weapons under NSAM 143. This "approval in principle" is known as a NSAM 197 action.

(~~SFRD~~) Two days later NSAM 199 rescinded a portion of NSAM 143 and permitted the loading of [REDACTED] NATO QRA aircraft. NSAM 160 had also entered the act and established national policy for the development and installation of permissive action links on nuclear weapons deployed to Europe.

(S) The issuance of NSAM 199 successfully and effectively completed (for the time being at least) the first phase of the new administration's efforts to establish executive control on the policies and procedures for providing nuclear support to non-US NATO forces.

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CHAPTER 13

DISPERSALS

1962 - 1964

(U) The FY 61 dispersal plan provided weapons for US forces but froze further dispersals for non-US forces. NSAM 143 authorized dispersals in 1962 for non-US forces but there was no authorization for increasing dispersals for US forces. The FY 61 plan was still in effect for US forces in FY 62. The normal nuclear weapons retirement cycle started with the approval by the President of the annual stockpile requirements. The Atomic Energy Commission evaluated the stockpile requirements in terms of their capabilities and provided the Department of Defense with their estimates of production for that stockpile year and the availability of materials for production in future years.

(U) Based on these estimates, the Joint Chiefs of Staff allocated the weapons to the Commanders of Unified or Specified Commands and the Reserve, and requested the Commanders to submit their weapons dispersal requirements. The JCS then prepared the dispersal plan to provide the dispersal of the weapons to support operational needs for the Commanders. The weapons would be dispersed as they were produced by the AEC. These dispersals included both those for support of US forces and for support of non-US forces.

(SFRD) On June 6, 1962, Mr. Gilpatrick submitted for Presidential approval a program which provided for dispersal of weapons as of June 30, 1962. The proposed plan called for increases only in dispersals in support of US forces. It provided for:

1. The dispersal of [REDACTED] nuclear components and complete weapons and [REDACTED] non-nuclear components under full US control in support of US forces.
2. The dispersal of [REDACTED] nuclear weapons/components and 1,422 non-nuclear components to foreign countries for US forces.
3. The JCS reserve to consist of [REDACTED] weapons, not less than [REDACTED] of which would be in NSS and OSS in custody of AEC.
4. A moderate number of weapons over and above those authorized

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~~FORMERLY RESTRICTED DATA~~

~~Unauthorized disclosure subject to
Administrative and Criminal Sanctions. Handle
as Restricted Data in Foreign Dissemination
Section 144.b., Atomic Energy Act, 1954.~~

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for dispersal for stockpile modernization, retirement, etc.

5. Replacement of lost weapons on a one-for-one basis.

(SFRD) In August, the White House requested additional information on numbers and types of weapons to be dispersed, yield versions, and country. The dispersal plan as submitted contained only broad yield categories, i. e., high and low yields for each country, since the DoD believed that the detailed data was highly sensitive. After providing the information requested, the JCS were further queried on the FY 62 dispersal plan. Their answer provided an explanation of their philosophy for dispersal.

"As in previous years, the FY 1962 dispersal plan is in support of both normal peacetime dispersals and contingency dispersals. In the former case, dispersals are planned to be accomplished as soon as the operational capability is attained and the weapons are available. In the latter case, dispersals are to be undertaken only as required during periods of tension or actual wartime.

"As an example of a contingency situation, the FY 1961 plan provides for dispersal to [REDACTED] etc.; however, dispersal would not be accomplished except as specifically directed after satisfactory completion of appropriate agreements. A request for such dispersal authority again is contained in the FY 1962 dispersal plan.

"As another example, authority exists in the FY 1961 dispersal plan for dispersal of [REDACTED] nuclear weapons to [REDACTED] in support of CINCSAC. It is not the intention of CINCSAC to use this authority in support of peacetime operations.

"In the case of non-US NATO forces which are provided nuclear weapons support by the United States, a third situation arises. Repeated delays have been experienced in the attainment of a programmed operational capability

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of certain of these forces. A number of nuclear weapons are now available and earmarked for support of these forces, however, no direct commitment has been made to provide the nuclear support. The fiscal year dispersal plan, therefore, consists of three categories of weapons: weapons in direct support of non-US forces, weapons in direct support of US forces and weapons earmarked for support of non-US forces. Weapons in this latter category are not identified as weapons for non-US forces and are not planned for actual dispersal in peacetime. In most cases, however, the units for which the weapons are earmarked are in the process of obtaining an operational capability. Thus, during periods of tension or wartime, dispersal of these earmarked weapons may be required.

"In the FY 1961 dispersal authorization, as well as that of previous years, the possibility of situations arising which would require the commanders of unified and specified commands to exceed authority in certain instances has been recognized. In the letter from the Secretary of Defense advising the Joint Chiefs of Staff of Presidential approval of the FY 1961 dispersal plan, authority was granted to proceed with dispersal in accordance with the representative dispersal plan with the proviso that 'any proposed departure from the representative plan of such a nature as to indicate a major shift in strategic emphasis' would be submitted for Presidential approval.

"Dispersal plans, therefore, have been representative plans rather than specific plans; they are not intended to be met in their entirety in each fiscal year, and they may be exceeded under special circumstances in accordance with the approval authority granted."

(SPRD) The Joint Chiefs were becoming increasingly concerned with the worldwide dispersal situation. Of the approximately [redacted] credits authorized for transfer from AEC to DoD and dispersal, less than [redacted] unused credits remained, although AEC had [redacted] weapons available, CINCONAD, CINCPAC and CINCSAC had exhausted their allocated dispersal credits while CINCLANT had only [redacted] unused credits. CINCEUR had sufficient credits but some of these were being used by CINCONAD. The JCS stated that the FY 63 allocation had already been provided to the CINCS

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and that immediate approval of the FY 62 dispersal plan was needed to alleviate the current situation and early approval of the FY 63 plan would be needed to avoid a similar situation arising in the near future.

~~(S)~~ McGeorge Bundy, however, was still very much concerned with avoiding major additional political commitments. He asked Mr. Paul Nitze, Assistant Secretary of Defense (International Security Affairs) to review the proposed FY 62 dispersal plan and provide him with recommendations. Mr. Nitze's reply agreed with the JCS position except for a few minor changes and recommended that the FY 62 plan should be acted on quickly.

~~(SFRD)~~ The Christmas holidays, notwithstanding, it was acted on quickly but unfortunately for the DoD, not in the manner which they wished and undoubtedly expected. In a letter to Mr. McNamara dated December 26, 1962, President Kennedy wrote:

"I do not approve the proposed weapon dispersal program including the representative weapon dispersal plan, submitted by the memorandum to me dated June 6, 1962, from the Deputy Secretary of Defense. In view of the imminence of your submittal to me of your recommendations for a FY 1963 dispersal program, I believe it best not to make any changes in our dispersal program at this time. Accordingly, I hereby approve the continuation of the dispersals previously approved for FY 1961 to cover the FY 1962 needs.

"If this decision creates certain operating problems that affect the national security, I am willing to receive specific requests for exceptions in advance of my consideration of the FY 1963 dispersal program.

"I have directed the Chairman, Atomic Energy Commission, to:

"1. Transfer to the Department of Defense, on call by the Secretary of Defense, or his designee, sufficient numbers of atomic weapons to provide in Department of Defense custody as of June 30, 1962, up to a total of [REDACTED] separable nuclear components and complete atomic weapons and up to a total of [REDACTED] non-nuclear components. For the purpose of this letter, complete atomic weapons are defined as complete thermonuclear weapons with separable nuclear capsules as required and complete sealed-pit weapons. The above directive

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includes those weapons dispersed to the Department of Defense and stored at the National Stockpile Sites and Operational Storage Sites, those dispersed to Commanders and those in the reserve of the Joint Chiefs of Staff dispersed in the custody of the Department of Defense.

"2. Replace on a one-for-one basis, to the extent practicable, any nuclear component, complete nuclear weapon or non-nuclear component in Department of Defense custody which becomes irretrievably lost or damaged beyond repair. I approve the use and transfer of those weapons in the undispersed reserve of the Joint Chiefs of Staff on a one-for-one basis but not to exceed [redacted] weapons to replace the weapons recalled by the Atomic Energy Commission to support modernization, quality assurance, and retirement programs. This provides for maintenance of stockpile quality without degrading the Commander's operational readiness."

~~(SECRET)~~ Additional guidance was given to the JCS by the Deputy Secretary of Defense on February 27, 1963, since the DoD had now received authority to receive more weapons from the AEC than it was authorized to disperse. Dispersals of nuclear weapons to areas under foreign sovereignty would continue to be accomplished in accordance with the previously approved FY 1961 nuclear weapons dispersal program as further amplified by NSAM No. 143. Dispersal to areas under US control would be accomplished in accordance with the proposed dispersal plan of June 6. Authority was given for contingency purposes to disperse to any single site location up to 10 percent more weapons than indicated for the 30 June 1962 level, provided that the total dispersal for all of the specified areas under full US control did not exceed [redacted] complete weapons and [redacted] non-nuclear components. In the event that a contingency increase of greater than 10 percent at any one location was required or if that total dispersal to areas under full US control needed to be increased, the JCS were directed to obtain prior approval of the Secretary of Defense. There was no restriction on the number of nuclear weapons dispersed in the Continental United States inclusive of Alaska and Hawaii, provided the total dispersals did not exceed the total authorization as cited in the paragraph above.

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~~(SFRD)~~ The chart below shows the FY 62 increases in relation to the FY 61 authorizations and the quantities on hand on January 14, 1963.

TABLE VII

Areas Under Full US Control

Complete Weapons in Support of US Forces

<u>Location</u>	<u>Authorized 30 Jun 1961</u>	<u>On Hand (14 Jan 1963)</u>	<u>Additional Requested</u>	<u>Requested for 30 Jun 1963</u>
Afloat, Atlantic	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Afloat, Pacific	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Guam	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Midway	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Puerto Rico	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Total	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

(SFRD) Thus, the FY 61 dispersal plan and NSAM 143 authorizations were carried over through FY 62 into FY 63 except for an increase of [REDACTED] weapons authorized for dispersal to areas under full US control.

(U) In August 1963, the JCS submitted a proposed dispersal plan for FY 63. It was a little late as it already was FY 64.

(U) In accordance with the President's desires for DoD to coordinate the dispersal plan with the responsible agencies in the areas of their concern, formal comments were requested from the State Department and the Atomic Energy Commission (DMA) in September.

~~(SFRD)~~ On November 13, 1963, U. Alexis Johnson, Deputy Under Secretary of State, wrote Mr. Gilpatrick that State concurred in the plan, provided that:

1. "Before actual dispersal is made to those forces of any foreign government of weapons which exceed levels approved for dispersal in NSAM 143 and in certain specific authorizations made pursuant to it, we will have an opportunity to review an intended dispersal on a case-by-case basis.

- 2. "We would ... reserve judgment on the proposed dispersal of Atomic Demolition Munitions."

The letter further stated that with the exception of the ADMs the remainder of the dispersal to non-US forces appeared to be in fulfillment of existing commitments to which State and Defense have previously agreed.

(~~SFRD~~) The proposed FY 63 dispersal plan had to be updated in January of 1964 to reflect new requirements of the major commands since delays had resulted in its obsolescence. The new plan provided for:

TABLE VIII

UPDATED FY 1963 DISPERSAL PLAN

	<u>Authorized FY 61/62</u>	<u>Proposed FY 63</u>	<u>Requested FY 64</u>
For US Forces Based in Foreign Areas	[REDACTED]	[REDACTED]	[REDACTED]
For Support of Non-US Forces in Foreign Areas	[REDACTED]	[REDACTED]	[REDACTED]
For US Forces in Areas Under Full US Control Other Than the US	[REDACTED]	[REDACTED]	[REDACTED]
For CONUS	[REDACTED]	[REDACTED]	[REDACTED]
Total	[REDACTED]	[REDACTED]	[REDACTED]

The number for US forces in foreign areas had decreased somewhat, whereas the number for non-US forces had almost tripled.

(~~SFRD~~) The State Department concurred in the plan on March 5 subject to the same reservations made in their November 13, 1963, letter in reference to the FY 63 plan. Mr. Alexis Johnson, however, pointed out that the very significant build-up of artillery type weapons projected for the next few months emphasized the urgency of reaching agreed employment concepts, particularly in the NATO area.

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(~~SFRD~~) By February 1964, there had been a 60% increase in the number of tactical nuclear weapons deployed in Western Europe -- from [REDACTED] in 1961 to [REDACTED] as of December 22, 1963. The DoD proposed FY 64 dispersal authorization submitted to the President on March 26, 1964, requested a total of [REDACTED] out of a stockpile of [REDACTED] nuclear components/complete weapons, of which [REDACTED] and [REDACTED] would be authorized for dispersal to areas under full US control other than the US and to areas under foreign sovereignty, respectively.

(~~SFRD~~) The FY 64 dispersal plan, however, appears to have been jinxed. A discrepancy was discovered in certain of the numbers in the appendices of the plan in that they did not uniformly reflect the most recent JCS recommended planning base of [REDACTED] nuclear projectiles per non-US NATO 8-inch Howitzer battery. The necessary page changes were sent to McGeorge Bundy, the AEC, and the State Department. At long last the nuclear weapons dispersal authorization for FY 64 emerged as NSAM 305 on June 16, 1964, much to the relief of all concerned.

(~~SFRD~~) In accordance with NSAM 305, the Department of Defense was authorized to:

1. Obtain custody of up to a total of [REDACTED] separable nuclear components and complete atomic weapons and up to a total of [REDACTED] non-nuclear components of capsule-type weapons;
2. Disperse nuclear weapons in the United States without limit providing the total number of nuclear components and complete atomic weapons in the Department of Defense custody did not exceed that authorized in the paragraph above;
3. Disperse nuclear weapons to areas outside the United States in support of US forces in accordance with the area totals shown in the representative FY 1964 dispersal plan attached to the memorandum for the President dated March 26, 1964, with the provision that the total for each line may be exceeded by no more than 10% in the event of unforeseen contingencies, and provided the grand total dispersed outside the US (areas under foreign sovereignty and areas under full US control other than the US) did not exceed [REDACTED]. Such dispersals, as applicable, would be subject to yield restrictions outlined in NSAM 143 and the policy with regard to Permissive Action Link (PAL) devices contained in NSAM 160;

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4. Disperse nuclear weapons and provide nuclear weapon support to non-US forces in accordance with the currently approved NSAM 143 and NSAM 197 actions. Authority for additional dispersals for the support of non-US forces, over and above those currently approved, would be requested on a case-by-case basis in accordance with the provisions of NSAM 143 and NSAM 197.

(U) In order to place the Dispersal Program in phase with corresponding approved stockpile compositions, the Secretary of Defense was requested to submit a FY 1965 Dispersal Plan in time for approval as soon as practicable. Subsequent dispersal plans would be submitted prior to the beginning of the fiscal year to which they pertained.

(U) The President had "noted with concern the large percentage and absolute growth in the quantity of nuclear weapons planned for dispersal to support non-US forces. He directed the Secretaries of State and Defense to review all additional requests for dispersal of such weapons to ensure that we do not build up excessive stockpiles of nuclear weapons abroad that would add to world tensions and increase the probability of nuclear accident and possible war."



~~(TSFRD)~~ The following table is a summary of NSAM 305.

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TABLE IX
SUMMARY OF
NUCLEAR WEAPON DISPERSAL
FOR FY 64

	<u>CURRENT</u> <u>AUTH (a)</u>	<u>FY 64</u> <u>DISPERSAL</u> <u>PLAN</u>	<u>PERCENT</u> <u>CHANGE</u>
1. FOREIGN SOVEREIGN AREAS			+ 20.1
a. SUPPORT OF U.S. FORCES			- 11.3
PAC			+ 3.6
EUR			- 16.6
OTHER (b)			+ 12.9
b. SUPPORT NON-US FORCES			+104.5
NON-US NATO (EUR)			+128.0
			0
2. FULL U.S. CONTROL (Other than U. S.)			+ 38.2
a. OVERSEAS (c)			+ 21.7
b. SHIPS			+ 49.7
LANT			+ 77.4
PAC			+ 19.0
3. TOTAL OVERSEAS (Less Ships)			+ 20.3
TOTAL OVERSEAS			+ 26.5
4. CONUS (Include HAW & AL)			+ 26.8
AEC CUSTODY			
DOD CUSTODY			+ 8.3
TOTAL WEAPON TRANSFER			+ 17.5
TOTAL STOCKPILE	25,914	30,162	+ 16.4

LEGEND (a) Present authorization 26 December 1962 and NSAM 143
(b) 
(c) Guam,  Puerto Rico, Midway

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