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problems (like accidental detonation in the NATO system), their continuing worry about the "fictional" weapons custody system now in use, the trend toward reliance on nuclear weapons in NATO rather than on conventional forces, the failure of the Department of Defense to furnish information to the Joint Committee, the alleged lack of planning about future NATO weapons requirements, the alleged lack of coordination on targets and fallout (between U.S. and NATO nuclear forces, and between U.S.-SAC and the British Bomber Command).

The study goes into some detail on the following operational problems:

B. Operational problems:

(1) The vulnerability of a Jupiter site in Italy -- the study suggests new anti-sabotage measures and proposes new methods of shielding the missiles;

(2) Vulnerability and political instability surrounding proposed Turkish Jupiter sites -- the study opposes construction of these 5 Jupiter sites in Turkey (which would handle 15 IRBMs) and suggests <sup>assignment?</sup> (grant) of one Polaris to NATO as a substitute;

(3) Security and protection of weapons design information -- the study proposes that at least two U.S. custodial guards be assigned to each weapon being transported regardless of provisions made by host government;

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(4) Protecting nuclear weapons against unauthorized use -- study proposes new means of arming and disarming weapons to avoid possibility of misuse;

(5) Problems of evacuating or destroying weapons -- study suggests that independent U.S. vehicles should always be available for emergency evacuation of warheads and independent U.S. means should be available to facilitate destruction of warheads if necessary;

(6) Communications problems -- the study suggests advisability of a complete double set of communications networks for U.S. and NATO to avoid possible switch in signals because of political indecisiveness in emergencies;

(7) Training problems -- study suggests that training manuals should be prepared in the user nation's language;

(8) Safety problems -- the study is concerned about increasing probabilities of accident;

(9) Lack of trained personnel in case of accident -- study proposes increase in number of U.S. personnel technically trained to handle disposal and control of nuclear material in case of accident.

C. All of these operational problems are set by the Committee in the context of the political and economic stability of each NATO nation. The Committee's concern about the relative

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instability of NATO politically and economically reinforces its concern about the operational problems of the weapons system. Consequently, the study says specifically: "The cumulative effect of these problems is to raise the question as to whether the entire NATO alliance should not be re-evaluated."

The Committee says that it is committed to the NATO concept and merely wishes to strengthen it by criticism. However, many of the criticisms have the most far reaching political complications. Running through the Committee's attitude in this study is an apparent assumption that only with the U.K. can we have reliable land-based weapons and nuclear weapons cooperation. The Committee intends to make its own evaluation of the political strength and weakness of the NATO alliance in order to determine whether to approve agreements of cooperation with NATO countries on weapons deployment. This is the context of the controversial Italian 144b agreement discussed later.

D. The study makes the following basic policy points:

(1) Nuclear weapons are tending to supplant conventional weapons in Europe and the Committee would like to reverse this trend. It emphasizes that NATO forces equipped with tactical nuclear weapons are now faced with a serious dilemma in the event of border aggressions by enemy forces employing conventional weapons. Since the NATO forces have to

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await specific permission from SACEUR for using tactical nuclear weapons they are in danger of being overcome at border points by their conventionally armed opponents.

(2) The study says that there are serious doubts as to whether the present NATO alert procedures are consistent with U.S. law and Congressional intent which now require U.S. custody and control of nuclear weapons short of hostilities. The Committee has long been worried by the "fictional" nature of this custody and control and has contended that in fact arrangements have been made which provide for joint possession and control over U.S. weapons. It wants the legal and legislative aspects of this question presented as an amendment to the Atomic Energy Act and be made the subject of Congressional hearings and debate.

(3) The study stresses that basic atomic cooperation agreements should be made as stockpile agreements or other government-to-government agreements rather than as military service-to-service agreements.

E. Finally, the Committee study suggests a series of possible alternatives as the framework for future discussion of the disposition of nuclear weapons in the NATO system.

It suggests the following six possibilities:

- (1) Use of a complete U.S. system of possession and custody;
- (2) Reversion to system of separate U.S. possession and protection of nuclear warhead or nuclear component apart from carrier as contemplated in 1958 amendment;
- (3) Continuation of current fictional custody arrangements, involving elements of joint possession and control of nuclear bombs and warheads between U.S. and host country in NATO;
- (4) Express joint possession arrangement in alert procedures between U.S. and NATO as a separate entity through multinational NATO task force groups;
- (5) Transfer of nuclear weapons or control from U.S. to an independent NATO task force;
- (6) Transfer of nuclear weapons to individual NATO countries, with different arrangements with different countries.

The Committee study suggests that all of these matters be considered on an urgent basis as part of an Executive Branch review of the future of NATO. For this reason they are particularly eager that their comments be considered by the Acheson Task Force.

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II. The above study is just the latest in a series of discussions and growing problems between the State Department and the Joint Committee on Atomic Energy. Beginning in January 1960 there have been a series of developments affecting these relations.

On January 12, 1960 the State Department legal adviser wrote to Chairman Anderson defending a proposed Genie stock-pile arrangement with Great Britain. The Genie is an air-to-air rocket which would be mounted on British Lightning interceptors. The proposal involved a classified executive agreement, classified not only because of the secret nature of the weapons but also for political reasons (to keep our other allies unaware of the extent of our cooperation with the British and to dampen down the possibility of internal political reactions of both the Tory Right and Laborite Left inside the U.K.) The proposal was the most far reaching departure yet from the traditional position of U.S. custody and control -- it involved placing American warheads on a weapons system under the operational control of another nation and would do so in advance of hostilities. The Committee raised strenuous objections.

On February 2, 1960 Mr. Merchant testified on this matter before the Joint Committee stressing the importance of British responsibility for all of the air defense of the U.K., including

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the protection of our own forces there. His testimony blurred as much as possible the difference between actual hostilities and "frontline" capabilities to meet a surprise attack. 7

Opposition inside the Committee was so strong to this proposal, however, that the matter was left in abeyance. The Committee's position on the whole has been that the present statutory requirements for U.S. custody and control of nuclear weapons in all situations short of actual hostilities should not be converted into "joint possession" of our weapons by us and others. The Committee asked that the Eisenhower Administration propose statutory changes to clarify this matter, but that Administration has always resisted such clarification. (A letter from Mr. Macomber to the Committee on December 28, 1960 says that any legislative proposal for "joint possession" would be undesirable because it would limit U.S. freedom of action.)

The same kind of opposition to diluting U.S. custody and control which was raised by the Committee in the Genie-U.K. case has also figured in their criticisms concerning the custody of Honest John rockets and similar short-range missiles by U.S. forces in NATO, the "two-key" control of Thor warheads in the U.K., and the Jupiter missile arrangements with Italy and Turkey.



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During November and December 1960 members of the Joint Committee went to Europe on various studies. They found what many of them hoped to find, i.e., examples bolstering their preconceptions of the looseness of current U.S. custody and control and the many other problems mentioned in the study which they have now submitted to us.

Generally speaking, the Committee now regards itself as the leading champion of civilian control over atomic cooperation. It has no hesitancy in moving into political and economic questions which have traditionally been within the jurisdiction of the Foreign Relations and Foreign Affairs Committee. It is highly critical about a stationary land-based nuclear system in continental Europe. It favors increased use of Polaris and mobile land-based units where needed. It is worried about the nth country problem, but it is also worried that the difficulties of an alliance system might curb the use of nuclear weapons which we unilaterally might want to use. Consequently it is difficult to describe the Committee's position in uncomplicated political, strategic, or ideologic terms. It is correct to say that it is engaged in a high-level forceful and continuing foraging expedition on the most sensitive and critical arrangements of foreign policy.

III. It is in this context that the Italian 144b agreement

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for cooperation comes up. The Joint Committee is highly skeptical about Italy's role in NATO as far as nuclear capability is concerned. Holifield himself has visited an Italian Jupiter base which he believes is highly vulnerable. The Committee is worried about political conditions in Italy which they regard as highly unstable.

On January 6 Chairman Holifield asked that the Italian agreement (which had previously been signed by the Eisenhower Administration) not be sent to Congress. He raised questions of the cost of the Jupiter bases, vulnerability, possible coups, insufficient custodians, and so forth. He said the Committee would like time to fully re-evaluate NATO before acting on the Italian agreement. They wanted time to submit the study which they have now submitted.

Nevertheless, President Eisenhower sent the Italian 144b agreement to Congress over the Committee's objections on January 17 and it is now pending before it. Whoever testifies on this agreement will find himself placed in the middle of extensive Committee concern, not only about the Italian agreement itself but about the whole NATO picture.



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