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MEMORANDUM FOR THE PRESIDENT

FROM: THE SECRETARY OF STATE AND THE SECRETARY OF DEFENSE

SUBJECT: Provision of Nuclear Capability to U. S. Allies

PROBLEM:

1. To obtain amendments to the Atomic Energy Act to permit U. S. assistance in the progressive development of Allied Atomic delivery capability to include the transfer of custody of atomic weapons to selected Allies.



DISCUSSION:

2. Existing national security policy calls for the progressive relaxation of atomic energy legislation to the extent required for the progressive integration of atomic weapons into NATO defenses. Full text is at ANNEX A.

Military Requirement:

3. The Secretary of Defense has approved recommendations of the JCS (ANNEX B) to seek legislative amendments granting greater latitude in our dealings with our Allies in the atomic field than is currently possible.

The purpose is to assist selected Allies in the achievement of operational delivery capabilities with appropriate weapons systems compatible with U. S. stockpile atomic weapons. To complete existing weapons systems and to enable these Allies to achieve an atomic state of readiness, the transfer of custody of atomic weapons to certain Allies is envisaged. Legislative authority is therefore needed to permit actions of which the following are contemplated:

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a. Early transfer to Canada of selected air defense weapons to complete the Canadian capability to implement agreed U.S. - Canadian air defense plans. Details are at ANNEX C.

b. Transfer to the UK of weapons of various yields and types to maximize the effectiveness of UK air defenses and retaliatory forces. Details are at ANNEX D.



c. At some future date provision of primarily defensive atomic weapons systems or elements thereof to NATO nations, under NATO plans. The views of the Supreme Allied Commander, Europe are at ANNEX E.

d. Provision to Allied nations, other than NATO, of defensive atomic weapons systems or elements thereof. Nations which may be considered might include Australia, New Zealand and possibly Japan and the Philippines. While present National Security Policy does not permit action outside of NATO, the amended legislation should not preclude the possibility of transfers to other than NATO nations in the event this policy is changed.

e. The provision to selected nations, or groups of nations, of certain atomic information and materials for use in indigenous research and development in the field of design and production of delivery systems and military applications of nuclear power.

4. In order to provide sufficient latitude to satisfy these requirements, the amendments should vest the authority for transfer of information in the Secretary of Defense and for the transfer of custody of atomic weapons and nuclear materials in the President.

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Political Factors:

5. Aside from reasons of military urgency, particularly in the case of Canada and the UK, legislative authorization of the transfer of custody of atomic weapons to selected Allies is necessary to minimize the adverse political effects of the gap between the U. S. defense posture and that of its non-atomic Allies. Increasingly, the possession of defensive atomic weapons, or direct access thereto, is viewed by our Allies as an indispensable element of contemporary political significance. We do not foresee the indefinite continuation of Allied willingness to accept exclusive U. S. control and operation of the free world defensive atomic capability. This is particularly true with respect to those U. S. atomic weapons systems which depend on foreign bases and Allied cooperation. Thus, while the proposal to amend the Atomic Energy Act will cause certain disagreeable repercussions, particularly in the form of Soviet and neutralist propaganda, it is our view that in balance the political factors as well as the military requirement clearly counsels your agreement to seeking the amendments.



6. In recognition of the difficulties which will attend this proposal in Congress, it is our hope that the proposal can be presented in your State of the Union Message to Congress as an integral part of U. S. national security policy and the administrative program. It is our thought that a special Presidential message might be sent to the Congress subsequent to initiation of the proposal in the State of the Union Message.

Cost to U. S.:

7. Since the weapons to be considered for transfer are U. S. stockpile weapons, already provided for, no appreciable additional cost would be involved. While there may be additional costs for associated equipment, these are at least in part already included in our MDAP. Therefore, there can be a net saving to the U. S. to the extent that Allied military forces, particularly the U. K. and Canada, will be thus enabled to relieve us of some of the defense burden we now carry.

Atomic Energy Commission View:

8. The Chairman, Atomic Energy Commission, has informally expressed his doubts both as to the wisdom of the proposal, and as to the feasibility of obtaining Congressional agreement thereto. He is further concerned over the possibility of serious breaches in U. S. security with respect to atomic information. His views are in ANNEX F. We share his concern over the difficulties to be experienced with the Congress but remain firm in our conviction that, notwithstanding these difficulties, the proposal merits every possible effort to secure favorable Congressional action. We also believe that the net advantages, militarily and politically, which will accrue from this proposal warrant the calculated risk of a possible breach of U. S. atomic information security.

RECOMMENDATION:

9. It is recommended that you:

(a) Concur in seeking amendments to the Atomic Energy Act



of 1954 to permit U. S. assistance in the progressive development of Allied atomic delivery capability to include the transfer of custody of atomic weapons to selected Allies.

(b) Assign primary responsibility to the Department of Defense, acting in close consultation with State and AEC, for the preparation of the necessary documentation and for the presentation of the proposed amendments to the Congress. Specific actions proposed include introducing this legislation in the State of the Union Message, subsequently delivering a separate detailed message to the Congress and making an Executive Branch presentation to the Joint Committee on Atomic Energy.



6 Incls:

1. TAB A - Existing national security policy
2. TAB B - JCS recommendations
3. TAB C - Details - Canada
4. TAB D - Details - UK
5. TAB E - Views - SHAPE Commander
6. TAB F - Views - Chairman, AEC

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