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**Collection:** Brooks, Linton F: Files  
**Folder Title:** United States/United Kingdom  
Nuclear Cooperation 1982-1984 (November 1984)  
(1)  
**Box:** RAC Box 7

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# WITHDRAWAL SHEET

## Ronald Reagan Library

**Collection Name** BROOKS, LINTON: FILES

**Withdrawer**

DLB 9/28/2006

**File Folder** UNITED STATES/UNITED KINGDOM NUCLEAR  
COOPERATION 1982-1984 (NOVEMBER 1984) (1 OF 2)

**FOIA**

F02-071/1

**Box Number** 92039 RAC Box 7

COLLINS

11

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
27982	LETTER	DRAFT LETTER TO CONGRESS	1	ND	B1
27983	PAPER	RATIONALE FOR 1984 AMENDMENTS TO THE US/UK MUTUAL DEFENSE AGREEMENT	2	ND	B1
27984	PAPER	UNITED KINGDOM.....COOPERATION FOR MUTUAL DEFENSE PURPOSES	12	8/4/1958	B1
27986	PAPER	TECHNICAL ANNEX TO THE AGREEMENT....	9	ND	B1
27987	PAPER	DUPLICATE OF #27975; SUPPLEMENTAL TECHNICAL ANNEX TO THE AGREEMENT....	3	ND	B1
27989	MEMO	JOHN POINDEXTER TO CASPER WEINBERGER, DONALD HODEL, DAVID STOCKMAN, RE: UNITED KINGDOM... AND DEFENSE PROGRAMS	1	11/17/1984	B1
27990	MEMO	DUPLICATE OF #27950; RICHARD BOVERIE TO HERMAN ROSER, RE: U.S. POLICY.... <b>R 7/31/2008 NLRRF02-071/1</b>	1	1/28/1982	B1
27994	MEMO	DUPLICATE OF #27951; RAY POLLOCK TO THE RECORD, RE: 1974 US-UK UNDERSTANDING... <b>R 7/31/2008 NLRRF02-071/1</b>	2	12/31/1982	B1

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

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ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
27996	MEMO	DUPLICATE OF #27952; BOVERIE TO MCFARLANE, RE: U.S. POSITION ON USE OF BRITISH... <i>R 7/31/2008 NLRRF02-071/1</i>	1	1/13/1983	B1
28003	MEMO	DUPLICATE OF #27953; POLLOCK TO BOVERIE, RE: TRANSMITTAL OF MFR DESCRIBING US POSITION.... <i>R 7/31/2008 NLRRF02-071/1</i>	1	1/13/1982	B1
28005	MEMO	DON MAHLEY TO ROBERT MCFARLANE, RE: POLICY STATEMENT IN DOE LETTER TO REPRESENTATIVE OTTINGER <i>R 12/5/2011 F2002-071/1</i>	2	11/1/1984	B1

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TAB II  
BACKGROUND DATA



# WITHDRAWAL SHEET

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*Withdrawer*

DLB 9/28/2006

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COOPERATION 1982-1984 (NOVEMBER 1984) (1 OF 2)

*FOIA*

F02-071/1  
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*Box Number*

92039

11

<i>ID</i>	<i>Document Type</i> <i>Document Description</i>	<i>No of</i> <i>pages</i>	<i>Doc Date</i>	<i>Restric-</i> <i>tions</i>
27982	LETTER  DRAFT LETTER TO CONGRESS	1	ND	B1

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27983	PAPER  RATIONALE FOR 1984 AMENDMENTS TO THE US/UK MUTUAL DEFENSE AGREEMENT	2	ND	B1

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AGREEMENT

# WITHDRAWAL SHEET

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### Withdrawer

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UNITED STATES/UNITED KINGDOM NUCLEAR  
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27984	PAPER  UNITED KINGDOM.....COOPERATION FOR MUTUAL DEFENSE PURPOSES	12	8/4/1958	B1

### Freedom of Information Act - [5 U.S.C. 552(b)]

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TECH.  
ANNEX

# WITHDRAWAL SHEET

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DLB 9/28/2006

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27986 PAPER

9

ND

B1

TECHNICAL ANNEX TO THE AGREEMENT....

### Freedom of Information Act - [5 U.S.C. 552(b)]

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F02-071/1  
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*Box Number*

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27987	PAPER  DUPLICATE OF #27975; SUPPLEMENTAL TECHNICAL ANNEX TO THE AGREEMENT....	3	ND	B1

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27989 MEMO

1 11/17/1984 B1

JOHN POINDEXTER TO CASPER WEINBERGER,  
DONALD HODEL, DAVID STOCKMAN, RE:  
UNITED KINGDOM... AND DEFENSE PROGRAMS

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Tab II

## NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

January 28, 1982

~~SECRET~~

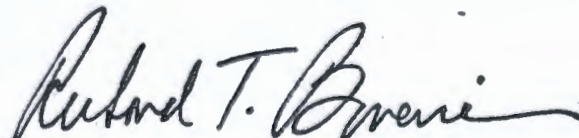
MEMORANDUM FOR HERMAN E. ROSER

Assistant Secretary for Defense Programs  
Department of Energy

SUBJECT: U.S. Policy on Use of UK-Supplied Plutonium (S)

The attached memorandum-for-the-record summarizes our findings with regard to a US commitment not to use for weapons purposes plutonium supplied by the British under the barter agreement. Documents bearing on this matter could be found only in the Johnson Presidential Library, and restrictions on their use prevent me from furnishing you with copies. (S)

No copy of a written commitment can be found in US archives. Nevertheless, a commitment not to use British-supplied plutonium for weapons purposes was clearly made in early 1964, and probably confirmed in a March 31, 1964 meeting between Secretary of State Dean Rusk and Lord Harlech. We must regard this commitment as still in effect. (S)

Richard T. Boverie  
Director of Defense Programs

Attachment: MFR

DECLASSIFIED

NLRR 802-071/1 #27990

BY CH NARA DATE 7/31/08~~SECRET~~

Declassify on: OADR



## MEMORANDUM

SECRET

## NATIONAL SECURITY COUNCIL

December 31, 1982

DECLASSIFIED

## MEMORANDUM FOR THE RECORD

NLRR F02-0711, #27994

FROM: RAY POLLOCK

BY CN NARA DATE 7/31/08SUBJECT: 1974 US-UK Understanding on US Use of  
British-Supplied Plutonium (S)

On April 21, 1964, Prime Minister Sir Alec Douglas-Home, speaking to the House of Commons, said, "...Our plans do not envisage the use of any of the plutonium produced by our civil reactors in the United Kingdom weapons programme, and I am informed by the United States Government that they have no intention of using the plutonium received from us for weapon purposes." Last summer, the transactions by which British plutonium was supplied to the US drew considerable interest in Parliament, and British representatives confirmed to DOE their understanding that the US was committed not to use this material for weapons purposes. DOE asked our help in finding definite written evidence of such a commitment.

Successive searches of materials in the LBJ Library have now turned up convincing evidence, but no written commitment.

It is interesting to note that the AEC (predecessor to DOE) has raised this question before. On April 27, 1965, AEC Chairman Glenn Seaborg wrote to National Security Advisor McGeorge Bundy referring to the Prime Minister's 1964 announcement and stating that AEC had no record of such a commitment. Bundy wrote Seaborg on May 10, 1965, to inform him that there was no question that the US position was that UK-supplied plutonium was not available for use in weapons without first discussing the matter with the UK at the highest political level. DOE has not been able to find either of these memos in their files. An internal NSC memorandum (also dated May 10, 1965) from Charles E. Johnson forwarding Bundy's memo for signature sheds some additional light. Johnson notes that, strangely, no record can be found of an actual communication making this commitment. He says that State Department believes it may have occurred in a telephone conversation between the President and the Prime Minister. He also feels that the fact we have let this commitment, clearly recorded on both the public and private record, stand for over a year pretty well commits us.

Finally, there exists one item in the record that comes tantalizingly close to recording the actual commitment. On March 30, 1964 (three weeks before the Prime Minister's speech), McGeorge Bundy wrote to Alexis Johnson, Under Secretary of State, to provide guidance for Secretary Rusk to use in a meeting with Lord Harlech. Bundy states that Glenn Seaborg agrees with the following statement of our position:

SECRET

Declassify on: OADR

SECRET

"The U.S. does not plan to use any of the plutonium delivered by the U.K. under the present barter agreement in the U.S. weapons program. It is the intent of the U.S. to utilize this material in our civilian power development program. There is, therefore, no objection to the inclusion in the U.K. announcement of the statement that the U.S. also does not envisage the use of any of this plutonium in its weapons program."

A search of State Department records has failed to turn up this memo from Bundy, or any record of the Rusk-Harlech conversations. However, since the language tracks so closely with that used a few weeks later in the Prime Minister's public statement, I believe it is safe to assume that the statement quoted above was received by the British, and therefore defines the U.S. commitment.

cc: Brenda Reger



~~SECRET~~

0319

AW

27996

MEMORANDUM

NATIONAL SECURITY COUNCIL

~~SECRET~~

Jan 13, 1983

ACTION

MEMORANDUM FOR ROBERT C. MCFARLANE

FROM: RICHARD T. BOVERIE *B*

SUBJECT: U.S. Position on Use of British-Supplied  
Plutonium

DOE has asked us questions regarding the U.S. position on use of British-supplied plutonium. Ray Pollock has researched the matter and suggested that I send a copy of his MFR to DOE. (Please see the attached package.) It seems fine to me, but given the nature of the subject, I believe that you should make the decision on whether or not I should send the memo to DOE.

RECOMMENDATION

Send the memo to DOE.

OK *RCM* NO \_\_\_\_\_

Attachment

Memo from Pollock, Jan 13, 1983 w/atch

DECLASSIFIED

NLRR F02-0716 #27996

BY CN NARADATE 7/31/08

~~SECRET~~

Declassify on: OADR

~~SECRET~~



## MEMORANDUM

~~SECRET~~

## NATIONAL SECURITY COUNCIL

January 13, 1982

ACTION

MEMORANDUM FOR RICHARD T. BOVERIE

FROM:

RAY POLLOCK *RP*

SUBJECT:

Transmittal of MFR Describing US Position on  
Use of British-Supplied Plutonium *(S)*

The attached memo to Herm Roser summarizes the conclusions derived by researching material in the LBJ Library. The memo transmits a copy of my memo-for-the-record, and cautions DOE that the commitment to not use UK-supplied plutonium for weapons still holds. DOE is aware that any attempt to revise this policy would not be welcomed by the British at the present time, and has no immediate plans to try.

Recommendation

That you sign the memo attached.

## Attachment:

Memo to Herman Roser with MFR

~~SECRET~~

Declassify on: OADR

DECLASSIFIED

NLRR F02-0711 *28003*  
*#27953*BY CL NARA DATE 7/31/08



THE SECRETARY OF ENERGY  
WASHINGTON, D.C. 20585

ALTERED VERSION 11

Honorable Richard L. Ottinger  
Chairman, Subcommittee on Energy  
Conservation and Power  
Committee on Energy and Commerce  
House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter of May 3, 1984. I appreciate this opportunity to clarify further the Department's use of plutonium. I recognize that even after this clarification we may hold divergent opinions, but I agree with you on the need to address these apparent misunderstandings.

On May 3, 1984, I sent you a copy of a letter (enclosed) to Chairman Dingell delineating estimates of impacts on the Department's defense and energy supply research and development (R&D) programs if section 214 of H.R. 5048 were enacted. That letter addresses many of the concerns you raise in your letter and in particular the question of the Department-owned defense plutonium which was obtained prior to 1971 from the United Kingdom (U.K.) under the U.S./U.K. Mutual Defense Agreement.

You state that the purpose of your legislation is to prevent the movement of plutonium from civilian to defense program activities which you and many others continue to believe undermines the spirit of the Nonproliferation Treaty (NPT). We do, of course, recognize the importance of maintaining the distinction between the civil and military uses of nuclear energy. At the same time, we must provide for the common defense and security. As you know, the NPT imposes no obligations on nuclear-weapon states concerning the peaceful use of nuclear material or the application of safeguards to their own nuclear programs. Nevertheless, the United States has made a voluntary offer to subject all its civilian nuclear facilities, except those of direct national security significance, to the safeguards of the International Atomic Energy Agency (IAEA). The agreement with the IAEA implementing this offer permits application of safeguards by the IAEA to any or all facilities designated as eligible by the United States. It also provides that the United States may withdraw nuclear material from safeguarded activities in any such facility. This agreement, which received the unanimous advice and consent of the Senate, is evidence of the importance the United States attaches to the NPT. At the same time, it also recognizes the critical need to maintain flexibility to meet national defense requirements.



Although section 214(b) only would prohibit the transfer of plutonium from the Department's civilian R&D activities for nuclear explosive purposes, the practical effect of such a restriction will be inevitably to force the Department also to restrict or eliminate the flow of plutonium from defense programs to the Department's energy supply R&D program for interim use, such as in test reactors. Since the Department's energy supply R&D programs do not have facilities either to produce or process the needed plutonium, we would be forced to find or build other sources before the end of the 1980's.

With respect to the availability of alternate sources of plutonium on the open market for breeder and other energy supply R&D applications, it is our perception that such plutonium could be obtained from other countries. This would require some time to arrange, obtain, and prepare the plutonium in a form usable in our Fast Flux Test Facility, for example. There indeed would be costs additional to the purchase costs in obtaining and processing this plutonium. For reference I refer to a General Accounting Office (GAO) report to Chairman Dingell of September 17, 1982, on the costs of Clinch River Breeder Reactor plutonium (6 tons). The GAO found the procurement costs of foreign plutonium to be so uncertain as not to be quantifiable. The GAO estimated the cost for U.S. material of similar quantities ranging from \$143 million to more than \$1.2 billion.

With respect to your statement that firm assurances were given by our Government that the United States did not intend to use this plutonium in nuclear weapons, we are aware of the 1964 statement by Prime Minister Douglas-Home on this issue wherein he stated that part of the plutonium produced by U.K. civilian reactors will be sent to the United States in exchange for uranium-235. He stated that he had been informed by the United States Government that the United States has no intention of using this plutonium received from the United Kingdom for weapons purposes. This statement by Prime Minister Douglas-Home has to be taken in light of the fact that the U.S./U.K. Mutual Defense Agreement under which this exchange was made clearly permits the utilization of exchanged materials for defense purposes. Secondly, the United Kingdom plutonium was exchanged for U.S. defense highly enriched uranium and our understanding is that it was utilized by the United Kingdom for defense purposes consistent with the mutual defense agreement. Finally, the quality and quantity of the plutonium received at that time was such that we did not need to use it in our defense activities when U.S. supplies were ample.

It is the policy of this Administration not to use the plutonium received from the United Kingdom prior to 1971 for weapons. As a matter of general policy, it would not be in the national interest to statutorily close out this option for the United States for the future if national exigency so required. We would not propose a change in this policy without first informing the Congress.

~~Although we do not intend at the present time to use this material for such purposes, it would not be in the national interest to close out such an important and valuable option for the United States for the future if national exigency so required.~~



3 \*Hahn

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this report to the Congress. 6/ /84

Sincerely,

DONALD PAUL HODEL

Enclosure

cc:

Honorable Carlos Moorhead  
Ranking Minority Member  
Subcommittee on Energy  
Conservation and Power  
House of Representatives  
Washington, DC 20515

All Members of Energy and Commerce Committee  
Dr. Rich Wagner, Department of Defense  
Mr. Donald Mahley, National Security Council  
Mr. Thomas Graham, Jr., Arms Control and Disarmament Agency  
Mr. Cy Alba, Department of State  
Dr. Robert Post, Office of Management and Budget

Distribution: \*See previous yellow, attached.

DP-34

Johnson

6/ /84

CP-30

Kojm

6/ /84

GC-32

Silverstrom  
(Todd/Williams)

6/ /84

IE-10

Bradley

6/ /84

NE

Thereault

6/ /84

S-1

Gjelde

6/ /84

CONCURRENCES	
RTG SYMBOL	DP-13
INITIALS/SIG.	*Cochran
DATE	6/ /84
RTG SYMBOL	DP-10
INITIALS/SIG.	*FCGilber
DATE	6/ /84
RTG SYMBOL	DP-2
INITIALS/SIG.	Morgan
DATE	6/ /84
RTG SYMBOL	CP-1
INITIALS/SIG.	Odle
DATE	6/ /84
RTG SYMBOL	GC-1
INITIALS/SIG.	Garrish
DATE	6/ /84
RTG SYMBOL	IE-1
INITIALS/SIG.	Merkstein
DATE	6/ /84
RTG SYMBOL	NE-1
INITIALS/SIG.	Brewer
DATE	6/ /84
RTG SYMBOL	S-1
INITIALS/SIG.	Hodel
DATE	6/ /84
RTG SYMBOL	
INITIALS/SIG.	
DATE	



28005 3

~~SECRET~~

6050 Follow-On

MEMORANDUM

NATIONAL SECURITY COUNCIL

SIGNED

~~SECRET~~

ACTION

November 1, 1984

MEMORANDUM FOR ROBERT C. McFARLANE

FROM: DON MAHLEY *DM*

SUBJECT: Policy Statement in DOE Letter to Representative Ottinger

BACKGROUND

Representative Ottinger has corresponded with DOE several times about his Subcommittee's H.R. 5048, which includes a section prohibiting the use of plutonium acquired from the UK in defense programs. Last spring Hodel sent Ottinger a letter indicating that it was already DOE policy not to use UK-provided plutonium for defense purposes. Ottinger asked whether this was a DOE or USG position.

DOD cleared a letter of reply to Ottinger through the interagency process that pointed out that it had not been past practice to use UK-provided plutonium for defense purposes, that there were no present plans to do so, but that the provisions of the agreement under which the US obtained the plutonium left the option to use the material for defense programs if needed. DOE then, after some reflection, wished to strengthen the letter to Ottinger (DOE draft at Tab III) by incorporating a paragraph that reads:

"It is the policy of this Administration not to use the plutonium received from the United Kingdom prior to 1971 for weapons. As a matter of general policy, it would not be in the national interest to statutorily close out this option for the United States for the future if national exigency so required. We would not propose a change in this policy without first informing the Congress."

In attempting to clear this change through the interagency process, DOE ran into intractable opposition. DOD objected to both the first and last sentences. DOE agreed, after some consideration, to agree to deletion of the last sentence. Thus, the dispute now hinges solely on whether non-use of plutonium obtained from the UK in defense programs is a practice or a policy.

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Declassify on: OADR

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DECLASSIFIED

NLRR FD2-DT11 #28005

BY *RW* NARA DATE 12/5/11



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Historically, the formal provisions of the agreement under which the UK exchanges plutonium for other nuclear materials clearly specifies that the plutonium thus obtained could be used for defense purposes. The US has never done so intentionally, although we would be hard pressed in a court of law to document the possession chain to prove that no such plutonium had ever become intermingled in storage. However, the UK-obtained plutonium is, in its present state, too low a grade to be used in weapons applications. The USG currently has no reprocessing facility in operation, and thus could not upgrade the UK plutonium for weapons use.

In 1964 Sir Alex Douglas-Home, then PM, stated to the UK parliament that the US would not use UK-provided plutonium for defense purposes. Ray Pollock, while a member of the NSC Staff, researched the basis of Douglas-Home's statement extensively. The only record he could find of any USG statement on the matter came from the Presidential files of Lyndon Johnson (Tab II).

#### NSC STAFF POSITION

Although this is a matter that should not require White House arbitration, we are sympathetic to DOD's concern. The historical commitment was in terms of present plans, not policy.

The NSC staff suggested a compromise wording for the first sentence, which DOD accepted but DOE rejected. It is: "It has not been US policy to use plutonium obtained from the UK prior to 1971 for weapons." The second sentence would then remain as in the DOE draft.

*Rm* *DF* *RS* *SR* *W*  
Ron Lehman, Don Fortier, Ron Sable, Steve Rosen, and Bill Wright concur.

#### RECOMMENDATION

That you sign the memo at Tab I, establishing Administration policy on this matter.

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

#### Attachments

Tab I Memo for Signature  
Tab II NSC Memo, Dated January 28, 1982  
Tab III DOE Draft Letter to Ottinger

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