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THE WHITE HOUSE
WASHINGTON

~~SECRET~~

May 22, 1973

DOS REVIEWED 16-Feb-2011: NO OBJECTION TO DECLASSIFICATION

MEMORANDUM FOR

REFER TO DOS

THE CHAIRMAN
ATOMIC ENERGY COMMISSION

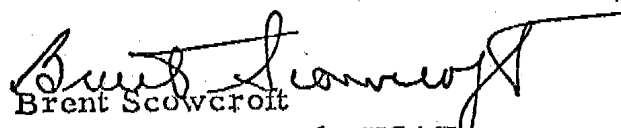
SUBJECT: Possible US-USSR Agreement on Peaceful
Uses of Atomic Energy

DOE REVIEWED 15-Dec-2010: NO OBJECTION TO DECLASSIFICATION

Your memorandum of May 15, 1973, which forwarded the AEC's comments on the text provided to Mr. Kissinger by the Soviet Government of a proposed US-USSR agreement on peaceful uses of atomic energy, is appreciated.

The President has directed that the United States explore with the Soviet Union the possibility of a US-Soviet Memorandum of Understanding on Cooperation in the Field of Peaceful Uses of Atomic Energy. The President requests the Chairman, Atomic Energy Commission, in coordination with the Department of State, to arrange for bilateral talks with the Soviet Government as soon as mutually convenient. The negotiations should have as their objective the development of a draft bilateral memorandum of understanding for further consideration by the U.S. and Soviet Governments. The Chairman, Atomic Energy Commission, is directed to submit a report on the status of these negotiations no later than June 4, 1973, for review by the President.

The President has directed that no agreements with the Soviet Union be signed, initialled or otherwise concluded without his approval.


Brent Scowcroft
Brigadier General, USAF
Deputy Assistant to the President
for National Security Affairs

cc: Secretary of State

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GDS - December 31, 1981

2838

SECRETVERY URGENT ACTION
May 21, 1973

MEMORANDUM FOR GENERAL SCOWCROFT

FROM: A. Denis Clift

SUBJECT: US-USSR Atomic Energy Agreement

The memorandum for your signature to the President at Tab A would advise him of the AEC's generally positive reaction to the USSR's proposed agreement on cooperation in the field of peaceful uses of atomic energy. Your memorandum would also forward and seek the President's approval to a proposed memorandum for your signature to the AEC Chairman directing the AEC in coordination with State to enter into talks with the Soviet government aimed at developing a draft memorandum of understanding for further consideration by the US and USSR governments.

Dick Kennedy and Bill Hyland concur.

RECOMMENDATION

1. That you sign the memorandum for the President at Tab A.
2. With the President's approval, that you sign the accompanying memorandum for the AEC Chairman.

SECRET

GDS - December 31, 1981

2838

SECRETACTION

MEMORANDUM FOR THE PRESIDENT

FROM: Brent Scowcroft

SUBJECT: Possible US-USSR Agreement on Peaceful Uses of Atomic Energy

AEC Chairman Dixie Lee Ray has reviewed the USSR's text of a proposed US-USSR bilateral agreement on peaceful uses of atomic energy, provided to Dr. Kissinger by Ambassador Debrynin. Chairman Ray advises (memorandum at Tab B) that with modifications, such an agreement would be viewed by the AEC as an attractive opportunity leading to very worthwhile joint endeavors. She specifically suggests however, that any document providing for such cooperation be titled a Memorandum of Understanding rather than an Agreement to avoid the impression that such cooperation falls into the category of a Section 123 agreement under the Atomic Energy Act.

With your approval, I will issue the memorandum at Tab A directing the AEC, in coordination with the Department of State, to explore with the Soviet government the possibilities of a US-USSR Memorandum of Understanding on Cooperation in the Field of Peaceful Uses of Atomic Energy, to develop a draft memorandum of understanding for consideration by the US and USSR governments and to submit a report on the status of these negotiations for your consideration no later than June 4, 1973.

RECOMMENDATION

That you approve the memorandum at Tab A.

APPROVE _____

DISAPPROVE _____

SECRET

GDS - December 31, 1981

ADClift:ggw:5/21/73

SECRET

ATOMIC ENERGY COMMISSION

WASHINGTON, D.C. 20545

*Hyland for
action*

MAY 15 1973

OFFICE OF THE CHAIRMAN

Brent Scowcroft, Brigadier General, USAF
Deputy Assistant to the President for National Security Affairs

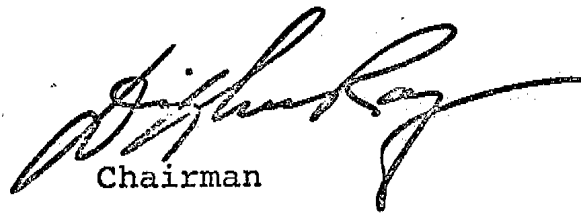
PROPOSED US-USSR BILATERAL AGREEMENT

The draft text of a proposed US-USSR bilateral agreement in the peaceful uses of atomic energy, which was transmitted with your memorandum of May 11, has been received and the informal view of the Commission is that such an agreement, with some modification, would be viewed as an attractive opportunity leading to very worthwhile joint endeavors.

The advantages and disadvantages which we see, together with possible modifications directed toward making the agreement acceptable, are attached. One of the major reservations which we have concerns the proposed joint construction of controlled thermonuclear research (CTR) installations. This could have the serious effect of delaying progress on both sides.

We do see the possibility, however, of jointly constructing a high energy physics laboratory to be located either in the United States or the USSR. An informal proposal for such a program has been made by the Director of the Soviet Novosibirsk Laboratory to the Director of our Stanford Linear Accelerator Laboratory in Palo Alto. We have this program under active study and would hope to make it a part of any future negotiation of the proposed agreement.

We shall be pleased to provide any further information you may desire.


Chairman

Enclosures:

- 1. Advantages and Disadvantages
- 2. Proposed Revisions

CLASSIFIED BY:
A. S. Friedman, Director
Div. of International
Programs

EXEMPT FROM GENERAL DECLASSIFICATION SCHEDULE OF
EXECUTIVE ORDER 11652 EXCEPT WHERE SHOWN OTHERWISE
AUTOMATICALLY DECLASSIFIED ON _____
(insert date or event, if any)

NA

NATIONAL SECURITY
INFORMATION

Unauthorized Disclosure Subject to
Criminal Sanctions

SECRET

ADVANTAGES AND DISADVANTAGES

1. The agreement would formalize the current cooperation by combining the approvals of both the executive and legislative branches of the Government. (It is assumed, since the agreement is for a long term and budget authorizations would be required for implementation, that the Congress would be consulted.) Consultation with the Congress, however, will call for setting forth plans and programs for cooperation in greater detail than is currently available. This formalization and consultation may also tend to decrease somewhat the flexibility available under the present system of executive agreements which provide for cooperation in reactors, high energy physics and CTR.
2. The agreement would have the advantage of presumably increasing USAEC access to USSR developments in the three areas specified. In the area of CTR, for example, the Soviet CTR program is about three times the size of the U.S. program. It is much broader based and is particularly strong in analytic theory. The U.S. program is smaller and is more directed toward specific goals. The U.S. program has better technology, computer capability and instrumentation. The Soviets have a very good capability for fabrication of large facilities.
3. While the U.S. would obtain additional information, the USSR has much to gain in support areas such as computers, codes, and integrated circuits. Exchanges in instrumentation, equipment and construction materials could be expected to be of more benefit to the USSR than to the U.S. The field of experimental data processing equipment is a sensitive political area and some of the materials and equipment that would be exchanged are now embargoed for export. Any relaxation should be on a case-by-case basis rather than a blanket arrangement.
4. It is difficult to persuade U.S. scientists to accept long-term assignments in the USSR because of the difficult living conditions there. Short-term visits are not a problem in this respect.

SECRET

5. In the fields of fast reactors and fundamental properties of matter, patterns of cooperation with other countries already exist. In CTR, however, while the proposed agreement would not, in fact, limit cooperation with other groups (e.g. the Europeans and Japanese) it could tend to discourage other bilateral agreements for both sides.
6. It would be important that both countries reveal to each other the full extent of their CTR programs. A question arises as to how to deal with laser fusion and other weapons related CTR approaches. Also, recent intelligence information tends to imply that the Soviets may have some large CTR activities which they have not revealed.
7. Joint CTR construction projects would be extremely difficult because of major differences in engineering approach, technologies, standards, methods of budgeting and others. Also, if the "Iron Curtain" were to drop again, one country or the other could be shut out from the project. While joint constructions are difficult, joint design efforts, joint prefabrication development and cooperative instrumentation coordination are feasible in the CTR program.
8. Although the AEC and State Committee on Atomic Energy are designated as the Executive Agents for the agreement, the agreement should serve as a channel for cooperation with other agencies of each government which are engaged in programs related to the subjects of the agreement.

PROPOSED REVISIONS

1. It is suggested that the document be referred to as a memorandum of understanding rather than an agreement to avoid the impression it falls into the category of a Section 123 agreement under the Atomic Energy Act.
2. The area of cooperation described as "study of fundamental properties of matter" is not well defined. One might imply that it is meant to cover only high energy physics, but the words in the draft agreement are broad and could also cover medium, low energy, and solid state physics. "Other installations" (page 4) could cover colliding beam facilities, reactors, Van de Graaf accelerators, et al. This entire matter should be clarified.
3. In the final preambulatory paragraph, it is suggested that the agreement be carried forward "in recognition of" existing agreements rather than "in accordance with" them since its term would far exceed theirs.
4. It is suggested that the final paragraph on page 3 be revised as follows:

"The aim of cooperation in the area of controlled thermonuclear fusion will be for cooperative design and development leading to demonstrational thermonuclear reactors. This would include calculational and theoretical substantiation, conduct of joint scientific and research work, designing and development to calculated parameters for smaller scale experiments, and subsequently to reactors. There would be elaboration of industrial technologies for thermonuclear energy production based upon such reactors."

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5. In the operative phrase of the proposed agreement as it relates to fast breeder reactors, page 4, "Cooperation in the field of fast-breeder reactors will be aimed at jointly solving the problems connected with the development, programming, designing and operation of atomic power plants with fast-breeder reactors;", the use of the word "programming" is not clear. Alternate language that might be suggested would be "Cooperation in the field of fast-breeder reactors will be aimed at jointly solving problems connected with the design, development, construction and operation of atomic power plants with fast-breeder reactors;".
6. The phrase "Joint development and construction of new experimental equipment and installations" (page 4, and a similar phrase on the top of page 5) should be clarified to ensure that it covers joint construction of large accelerator facilities.
7. The phrase "Exchange of the samples of instrumentation, equipment and construction materials" (page 5) should be clarified; particularly, what is meant by "samples"?
8. The meaning of "permanent groups" at the bottom of page 4 should be clarified.
9. It is suggested that the last paragraph of Article VII indicate that the validity of agreements and contracts will not be affected, provided, however, that they will be deemed to be governed by the provisions of the terminated basic document.