1975
Cables between the Brazilian Embassy in Washington and
the Brazilian Foreign Ministry on the Transfer of Nuclear
Material

Citation:
“Cables between the Brazilian Embassy in Washington and the Brazilian Foreign Ministry on the
Transfer of Nuclear Material,” 1975, History and Public Policy Program Digital Archive, Centro de
Pesquisa e Documentação de História Contemporânea do Brasil (CPDOC), Fundação Getúlio Vargas
(FGV), Azeredo da Silveira Archive, AAS mre d 1974.03.26 p.5116-5127. Obtained and translated by
Fundação Getúlio Vargas.
http://digitalarchive.wilsoncenter.org/document/115173

Summary:
A series of correspondence between Brazilian Foreign Ministry and Brazilian Ambassador to the US
about the transfer of nuclear material from France to Brazil. Myron Kratzer, Acting Assistant Secretary
for Scientific Affairs in the US, expressed his concern over the fact the nuclear material was of
American origin.

Credits:
This document was made possible with support from the Leon Levy Foundation and Carnegie
Corporation.

Original Language:
Portuguese

Contents:
- English Translation
- Scan of Original Document
Cable no. 4782 dated 11/28/75 from Ambassador Araújo Castro to the State Secretariat, Brasilia

SECRET-URGENT

DPB/DCS/DE-I/DIE

Nuclear energy. Re-transfer of special nuclear material of American origin from France to Brazil. Visit to the State Department.

4782 – Saturday 29, 13:30 hs. Reply to your cable 1754. I requested an appointment at the Department of State to visit M. Myron Kratzer, Acting Assistant Secretary of State for Scientific Affairs, who will receive me in the late afternoon of the coming Monday, December 1. I shall try to obtain from Mr. Kratzer the clarification requested by telegram 1754, that is, official word from the American government about the order for indefinite suspension of the shipment from France to Brazil, through EURATOM, of special nuclear material of American origin.

João Augusto de Araújo Castro

Cable no. 4806 dated 12/1/75 from Ambassador Araújo Castro to the State Secretariat, Brasilia.

SECRET-URGENT

DPB/DCS/DIE/DE-I

Nuclear energy. Re-transfer of special nuclear material of American origin from France to Brazil. Visit to the Department of State.

4806 – Monday 1, 22:00 hs. Suite to cable 4782. I have just come back from the Department of State where I spent about one hour with Myron Kratzer, Acting Assistant Secretary for Scientific Affairs, whom I apprised of the case of the postponement of the shipping from France to Brazil of special strategic nuclear material of American origin. Immediately after I requested official word from the American government about the incident.

2. [sic] Kratzer answered preliminarily with the following “correction”: the country from where the uranium would be transferred to Brazil was not France, but the United Kingdom. When I confirmed to him that the country was France, Kratzer clarified that although the Department of State had never received any communication on the subject from the French Embassy, nor from the Euratom representative in Washington, it had indeed received a consultation of the kind I indicated from the British Embassy last July, which had been answered in August. The English consultation dealt with the possibility of transfer to Brazil “ten to fifteen kilograms” of highly enriched uranium of American origin, to be used in a research reactor of the fast kind, and the answer given, according to Kratzer, was to the effect that such a transfer would not have much chance of approval by the United States. Kratzer stressed that nothing else was known in the Department of State about this and nothing either about any request for re-transference from France.

3. I insisted that the issue at hand was a re-transfer from France to Brazil, through the “Euratom Supply Agency” and the information available to us was that the American government, upon being sounded out by Euratom, had ordered last October the definitive suspension of the shipping of said special nuclear material under the assertion that Brazil had not concluded an agreement with the United States on appropriate norms of physical protection. Kratzer said that the Department of State was not aware of that “evolution” of the case and promised to inquire about what could have happened at the Energy Research and Development Administration and the Nuclear Regulatory Commission and to provide us with the results of this search as soon as he received them. I must say that it seemed difficult for me to admit that the treatment of a matter of such relevance could
proceed entirely without the knowledge of the Department of State, as its highest authority on scientific matters wanted to make me believe. It is even less credible that even post facto Kratzer had not been informed of the decision taken.

4. Whatever the case may be, Kratzer gave me the impression that he considered irrelevant and academic the question of determining exactly what had happened, since we were before an American “policy” that would apply in any case. In the first place, the United States would never authorize the re-transfer of highly enriched uranium of American origin without prior understanding about the so-called “physical security measures”. Second, the existing agreement on nuclear cooperation between Brazil and the United States might “allow” this kind of transfer, but could never be interpreted in a way that transformed it into “compelling” or “compulsory”. Third, Kratzer did not wish to conceal from me that at present very restrictive criteria regarding international nuclear cooperation were in force, particularly concerning the transfer of this kind of special nuclear material, considered as strategic. At no time during our conversation did Kratzer offer any encouraging word about the possibility of an American authorization in this case, while always abstaining from giving any peremptory or final negative reply.

5. I believe we should wait for a few days until Myron Kratzer provides me with the promised additional elements of information, but I will not keep from you that the Assistant Secretary of State seemed dubious and evasive to me, and for this reason I would favor sending a signed note to the Department of State, which may come to be inevitable if we want an official word from the American government about an episode that is not entirely clear in my mind. I would like to know your reaction to this course of action as well as, in the case such reaction is affirmative, to receive complementary data and clarification about the details of the issue. Such data and elements would be needed to draft an eventual note to the Department of State.

João Augusto de Araujo Castro

Cable no.1774, dated 12/2/75, from the State Secretariat, Brasilia, to the Brazilian Embassy in Washington.

Nuclear energy. Re-transfer of special nuclear material of American origin from France to Brazil.

SECRET

DPB/DCS/DE-I

Re paragraph 5 of your telegram 4806. You are authorized to prepare the signed note to the Department of State and to hand it over at the time you deem opportune.

Exteriores

Cable 4855, dated 12/3/75, from the Brazilian Embassy in Washington to the State Secretariat, Brasilia

SECRET-EXTREMELY URGENT

DPB/DCS/DIE/DE-I

4855 – Wednesday 3, 19:30 hs. Re your cable 1774. In case I do not receive, within two days, the clarification promised by Myron Kratzer, it is my intention to send a Note to the Department of State, with the following substantive section which I submit to your approval:

“The Brazilian Embassy received from the Delegation of the Commission of the European Communities in Washington a letter dated October 24 1975, transmitting a set of MB-10 forms concerning the approval for retransfer of special nuclear material of United States origin from France to Brazil. The forms had been signed by the Director General of the Euratom Supply
2. The Brazilian Embassy received a second letter from the Delegation of the Commission of the European Communities in Washington, dated November 13, 1975, whereby it is indicated that the said retransfer of special nuclear material had been postponed for a year by the French Atomic Energy Commission, without specifying the reasons for such a delay.

3. Subsequently, the Brazilian Embassy in Paris inquired of the French government on the motives that had caused the one-year postponement, and learned from the authorities in France that the Euratom Supply Agency had consulted with the United States government on the matter prior to any retransfer could take place, in the terms of a bilateral Euratom-United States agreement on the control of highly enriched uranium fuels. The response of the United States Government was that the retransfer could not be authorized because Brazil had not complied with all the necessary requirements, i.e., that the Brazilian government had not previously entered into an agreement with the United States government on the control of highly enriched uranium fuels, similar to the one which had been signed with Euratom.

4. As to-date, there has been no communication from the United States government to Brazilian authorities relative to this case. It is therefore in the best interest of both the United States and Brazil and the intensification of the nuclear cooperation between the two countries that this matter be properly elucidated and that the Brazilian government receive the official clarifications from the United States government on the action taken with regard to the request by Euratom.

5. A copy of the letters from the Delegation of the Commission of the European Communities in Washington are enclosed for purposes of information, as well as a copy of the MB-10 forms.

6. Also enclosed is a note on the Cobra critical experiment, for which the special nuclear material is destined, as published in the July-August 1975 issue of the bulletin of the French Atomic Energy Commission”.


3. I await instructions.

João Augusto de Araujo Castro

Cable no. 1784 dated 12/4/1975 from the State Secretariat to the Brazilian Embassy in Washington

SECRET

DPB/DCS/DE-I

Nuclear energy. Re-transfer of special nuclear material of American origin from France to Brazil.
Re your cable 4855. Agree with the course of action proposed by you.

Exteriores

Cable no. 4890 dated 12/5/75, from the Brazilian Embassy in Washington to the State Secretariat, Brasilia

SECRET

DPB/DCS/DE-I

Nuclear energy. Re-transfer of special nuclear material of American origin from France to Brazil.

Re your cable 1784. The note to the Department of State was delivered to-day, in accordance with your instructions.

João Augusto de Araujo Castro.

Cable no. 4994, dated 12/15/1975 from the Brazilian Embassy in Washington to the State Secretariat

SECRET – URGENT

DPB/DCS/DIE/DE-I

Nuclear energy. Re-transfer of special nuclear material of American origin from France to Brazil.

4994 – Monday, 18:30 hs. Suite to cable 4890 and further communications on the matter. The Embassy received to-day, December 15, the following letter from the Delegation of the Commission of European Communities in Washington, dated December 12, on the retransfer from France to Brazil of special nuclear material of American origin:

“Subject: Transfer of 11.42 kg of uranium 93% enriched from France to Brazil (our ref: AG/1096)

With reference to recent telephone conversations you had with Joseph Marchal of this office, we wish to clarify the misunderstanding which occurred in the process of establishing above retransfer documents.

On October 23, 1975, we received from the Euratom Supply Agency a set of MB-10 forms covering above retransfer and indicating that shipment of material involved was scheduled to take place by the end of October 1975. We transmitted these forms to you for countersignature by Brazilian authorities on October 24, 1975.

On October 31, 1975, during an informal conversation we had with an ERDA International Security Affairs official, we learned that presently Brazil does not have the U.S. ERDA clearance for “physical protection” that all overseas consignees need to have prior to receive relatively important quantities of highly enriched uranium or plutonium of U.S. origin.

We also understood during this conversation that ERDA was not planning its “familiarization visit” to Brazil until he end of current calendar years.

In view of this situation, we informed the CEA (through the Euratom Supply Agency) that transfer to the effect schedules for October 1975 would necessarily have to be postponed.

On November 11, 1975, we received from CEA (through the Euratom Supply Agency) notification to the effect that above shipment would take place in October 1976. It appeared that October 1975 transfer date indicated in the MB-10 form was erroneous.
On November 13, 1975, we informed you of new transfer schedule and suggested that the MB-10 forms be disregarded for the time being since ERDA’s approval for retransfer is only valid for a 6-month period.

It is to be underlined that, in the above process, U.S. authorities did not receive from Euratom a formal request for retransfer”.

2. The letter whose text I transmitted above was addressed to the diplomat responsible for the matter in this Mission and is signed by Mr. C. Heidenreich, Vice-director of the Delegation of the Commission of European Communities. Copies of said letter were sent by Heidenreich to the following officials: F. Oboussier, Director-general of the “Euratom Supply Agency; Michel Chauvin, Assistant to the Attaché at the French Embassy in Washington for nuclear energy affairs; Dixon Hoyle, assistant to Myron Kratzer at the Department of State; James A. Garrett, Jr., Head of the Materials Supply Branch at the Office for Implementation of International Programs of the Energy Research and Development Administration (ERDA); and Vance H. Hudgins, Director of the International Security Affairs Division of ERDA.

3. It seems probable to me that the Department of State may have pressured the representatives of Euratom for some “clarification” to be provided to the Brazilian government about the episode of the suspension order applied to the retransfer of special nuclear material of American origin from France to Brazil, without much accuracy about what had happened. In fact, the letter received today releases the American government from the onus of the formal decision on the matter, by indicating only that an “informal conversation” might have taken place with an ERDA official at the International Security and Development Division and that said official might have indicated the impossibility of the realization of that transfer in the present conditions. Exclusively on the basis of an “informal conversation”, then, the French government, through the EURATOM Supply Agency, would have decided to postpone the retransfer for one year. Or else, as one section of the letter would want us to believe, a mistake would have occurred (albeit without indication of its author) regarding the initial date of October 1975: “It appeared that October 1875 transfer date indicated in the MB-10 form was erroneous.”

4. It is impossible that the Department of State, which remained silent since the December 1 demarche and the December 5 signed note, would now express itself, at least to refer us to the present letter of the Delegation of the Commission of European Communities in Washington, of which it received a copy. In any case, what seems to me essential, in order to avoid inaccuracies as the one mentioned at the end of third paragraph of this cable, is to ascertain the date originally set by the French government, in cooperation with the Brazilian government, for the retransfer of the material: either October 1975 or October 1976. As can be seen from your cable 1754, the date of October 1976 would not apply in this case, since the suspension is indefinite until agreement is achieved on the norms of physical protection. I suggest that the contents of this cable be communicated to other Brazilian authorities responsible for this matter.

Celso Diniz

Cable no. 122, dated 1/12/1976, from the Brazilian Embassy in Washington to the State Secretariat

SECRET – EXTREMELY URGENT

DPB/DIE/DCS/DE-I

Nuclear energy. Retransfer of special nuclear material of American origin from France to Brazil. Note from the Department of State.

122 – Monday 16:00 – Suite to my cable 4994, of December 15 last. I transmit below the text of the Note from the Department of State, dated January 8, just received by this Mission, in reply to
our Note dated December 5 1975:

“Sir:

I have received the Ambassador’s Note dated December 5 1975, concerning the approval of retransfer of special nuclear material of United States origin from France to Brazil.

The Delegation of the Commission of the European Communities informed the Department of State of the sequence of events that led to the cancellation of the MB-10 form transmitted via your Note. The Delegation cancelled the MB-10 form without officially submitting it to the United States Government after it learned (a) that the French Atomic Energy Commission would not be ready for retransfer of the material until October 1976 and (b) through the United States Energy Research and Development Administration, that the Governments of Brazil and the United States had not yet completed the required physical protection consultations.

The consultations referred to by the Energy Research and Development Administration are designed to provide both parties to our agreements for cooperation with assurance that special nuclear material of strategic importance, including highly enriched uranium and plutonium, transferred under our agreements, will be adequately protect against theft, seizure, sabotage or other unauthorized use. Such consultations are being held, at mutually convenient times, with parties to all our agreements for cooperation who receive material of this type. We understand that the Energy Research and Development Administration will be in contact with the Embassy of Brazil in the near future to arrange such consultations with appropriate officials and organization of the Government of Brazil.

As was explained during the Ambassador’s recent call on the Assistant Secretary for Oceans and International Environmental and Scientific Affairs, the supply of highly enriched uranium, under our agreement for cooperation in the peaceful uses of nuclear energy is discretionary, in view of the sensitive nature of this material. The United States government is prepared to consider the export of the material requested by the Government of Brazil for use in the Cobra reactor, and will be in communication with the Government of Brazil on this subject after our review proceeds somewhat further.

Accept, Sir, the renewed assurances of my high consideration”.

2. The note whose text I have transmitted above was addressed to me and was signed, on behalf of the Secretary of State, by Mr. Myron B. Kratzer, Acting Assistant Secretary for Scientific Affairs.

3. The information included in the American note does not elaborate much on what was already known about the matter, and is even contradictory regarding the sequence of developments when compared to the letter received here from the representatives of Euratom on December 15 (see cable of reference). According to the Euratom letter, on October 31 an “informal conversation” allegedly took place with a member of the Energy Research and Development Administration (ERDA), and on November 11, after that “informal conversation” and as a result of consultation to the French Government generated by the “informal conversation” the postponement of the retransfer for one year is said to have happened. The note of the Department of State, on the contrary, intends to make us believe that the postponement by the French Government preceded the consultation to ERDA and that such postponement was due not to the negative by ERDA – whether formal or informal, official or non official, is something the note does not care to make clear – but instead to some internal problem at the “Commissariat à L’Énergie Atomique”. In short, the onus for the postponement would be due exclusively to the “Commissariat”.

4. Regarding the assertions that representatives of ERDA would contact the Embassy, I must clarify that since January 1975 this Mission has not been approached on this matter, even by the now extinct United States Atomic Energy Commission (USAEAC), about the general question of physical protection norms. I would like, however, to be able to receive elements of information in
case such contacts would be realized in the near future.

5. From the whole episode, however, it became clear that the nuclear cooperation with the United States takes an increasing restrictive or “discretionary” character, if I may use the words of the note from the Department of State itself.

Celso Diniz
DA EMBASSY IN WASHINGTON
O EN 29/11/75

SECRETARIO-URGENTE
DPB/DCS/DE-1/DIE/
ENERGIA NUCLEAR, RETRANSFERENCIA DE
MATERIAL NUCLEAR ESPECIAL DE ORIGEM
AMERICANA DA FRANCA PARA O BRASIL.
AUDIENCIA NO DEPARTAMENTO DE ESTADO.

166656

4782 - SABADO, 913, 30 HS - RESPOSTA DESPACHO-TELEGRAFI
CO-1754. PEDI HORA NO DEPARTAMENTO DE ESTADO PARA ENTREVISTAR-NE
COM O SENHOR MYRON KATZER, QUE EH O "ASSISTANT SECRETARY OF STATE"
INTERINO PARA ASSUNOS CIENTIFICO, O QUAL DEVERÁ RECEBER-NE NO FIM
DA TARDE DA PROXIMA SEGUNDA-FEIRA, PRIMEIRO DE DEZEMBRO. PROCURAREI
OBTER DE KATZER OS ESCLARECIMENTOS SOLICITADOS PELO DESPETEL 1754,
ISTEN, A PALAVRA OFICIAL DO GOVERNO AMERICANO SOBRE A ORDEM DE SUS-
PESOINDO INDEFINIDA NO EMBARQUE DA FRANCA PARA O BRASIL, ATRAVES DA
EURATOM, DE MATERIAL NUCLEAR ESPECIAL DE ORIGEM AMERICANA.
JOAO AUGUSTO DE ARAUJO CASTRO

CÓPIA ESPECIAL PARA
(DPB)
TELEGRAMA RECEBIDO

Decreto nº 60.417/67. — Classificação alterada para
☐ — Ostensivo ☐ — Reservado ☐ — Confidencial ☐ — Secreto
por ordem de

DA EMBÃIADÃA EM WASHINGTON
EM 1/12/75
SECRETOS — URGENTE
DPB/DCS/DE/DE-1-/
ENERGIA NUCLEAR, RETRANSFERENCIA
DE MATERIAL NUCLEAR ESPECIAL DA
FRANCA PARA O BRASIL. AUDIENCIA
NO DEPARTAMENTO DE ESTADO.

4806 — SEGUNDA-FEIRA — 22 DAS 9 H. — ADITEL 4782. ACABO DE RE-
GRESAR DO DEPARTAMENTO DE ESTADO ONDE ESTIVE POR QUASE UMA HO-
RA PARA ASSUNTOS CIENTIFICO, E A QUEM EXPUX O CASO DO ADIMENDO
NO EMBARQUE DA FRANCA PARA O BRASIL DE MATERIAL NUCLEAR ESPE-
CIAL ESTRATEGICO DE ORIGEM AMERICANA, SOLICITANDO EM SEGUNDA A
PALAVRA OFICIAL DO GOVERNO AMERICANO SOBRE O EPISODIO.

2. — RESPONDEU-SE KRATZER, EM PRIMEIRO LUGAR, COM A SE-
GUIENTE CORRECAO AO QUE LHE DISCHIERA: O PAIS DE ONDE SERIA
RETRANSFERIDO O URANIO PARA O BRASIL NAO SERIA A FRANCA, E SIM
REINO UNIDO, AO CONFIRMAR-LHE SER A FRANCA ESSE PAIS, KRAT-
ZER ESQUECEU QUE O DEPARTAMENTO DE ESTADO, EMBORA NUNCA TIVE-
SE RECEBIDO COMUNICAÇÃO A RESPEITO DA EMBÃIADÃA DA FRANCA OU
DA REPRESENTÃACAO DA EURATOM EM WASHINGTON, RECEBEU SIM CONSUL-
TETO, TENDO SÌDO RESPONDIDA EM AGOSTO, A CONSULTA INGLES
AL: "DEZ A QUINZE QUILOS" DE URANIO ALTAENTE ENRIGECIDO DE
RAPIDO, E A RESPOSTA DARDA, SEGUNDO KRATZER, FOI NO SENTIDO DE
QUE TAL TIPO DE RETRANSFERENCIA NAO COSTARIA COM MUITA PROBABI-
LIDADE DE APROVACAO PELOS ESTADOS UNIDOS. NADA CONSTAVA NO DE-
PARTAMENTO DE ESTADO ALER DISSO, FRISO KRATZER, E NADA SOBRE
UM EVENTUAL PEDIDO DE RETRANSFERENCIA DA FRANCA.

3. — INSISTI EM QUE SE TRATAVA DE RETRANSFERENCIA DA
FRANCA PARA O BRASIL, ATRAVES DA "EURATOM SUPPLY AGENCY", E
QUE AS INFORMAÇOES DE QUE DISPOSM SAO DE QUE O GOVERNO AMERI-
CANO, SONDADO PELA EURATOM, ORDENOU A SUSPENSÃO DEFINITIVA DO
EMBARQUE DO REFERIDO MATERIAL NUCLEAR ESPECIAL EM OUTUBRO ULTI-
MO, SOB A ALGECACAO DE QUE O BRASIL NAO CONCLUDA COM OS ESTADOS
UNIDOS UM ACORDO SOBRE NORMAS DE PROTECAO FISICA ADEQUADAS.
KRATZER DISSE QUE O DEPARTAMENTO DE ESTADO DESECONHECIA ESSA
"EVOLUCAO" DO ASSUNTO, E PROMETEU INDIAGAR O QUE TERIA HAVIDO
JUNTO AA "ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION" E
JUNTO AA "NUCLEAR REGULATORY COMMISSION", PESQUISA CUJOS RE-
SULTADOS NOS FORNECERIA LOGO QUE OS TIVESSE. CONFESSO QUE ME
PARECEU DIFICIL ADMITIR QUE A TRANSMACAO DE ASSUNTO DE TAL RELE-
VÁRCIA PUDESSE PROCESSAR-SE INTEIRAMENTE A REVELAÇÃ
DO DEPARTA-
MENTO DE ESTADO, COMO QUER FAZER CRER SUA MAIOR AUTORIDADE EM
ASSUNTOS CIENTÍFICOS, MENOS CRÍVEL AINDA EM QUE, MESMO POST
FACTO, KRATZER NAO TEUHA SIDO INFORMADO DA DECISÃO TOMADA.

COMO QUER QUE SEJA, MYRON KRATZER DEU-ME A IMPRESSÃO
DE CONSIDERAR IRRELEVANTE E ACADEMICA A QUESTÃO DE PRECISAR IN-
TEIRAMENTE O QUE OCORRERA, JA QUE ESTAMOS DIANTE DE UM "FOLI-
CY" AMERICANA, QUE SE APLICARIA EM QUALQUER CASO. EM PRIMEIRO
LUGAR, OS ESTADOS UNIDOS NUNCA AUTORIZARIA A RETRANFERÊNCIA DE
URÁNIO ALTAMENTE ENRIQUECIDO DE ORIGEM AMERICANA SEM UM PREVIO
ENTENDIMENTO SOBRE AS CHAMADAS "PHYSICAL SECURITY MEASURES", EM
SEGUNDO LUGAR, O PRESENTE ACORDO DE COOPERAÇÃO NUCLEAR BRA-
ZIL-ESTADOS UNIDOS PODERIA "PERMITIR" ESSE TIPO DE TRANSFERÊNCIA
MAS NUNCA PODERIA SER INTERPRETADO DE MANEIRA A TRANSFORMA-
LO EM "EXIGÍVEL" OU "OBRIGATÓRIO", EM TERCEIRO LUGAR, KRAT-
ZER NAO DESEJAVA ESCONDER-ME PRECEDEREM AGORA CRITÉRIOS BAS-
TANTES RESTRIÇÕES NO TOCANTE A COOPERAÇÃO NUCLEAR INTERNACIO-
NAL E, EM PARTICULAR, A ESSE TIPO DE TRANSFERÊNCIA DE MATERIAIS
NUCLARES ESPECIAL CONSIDERADO ESTRATÉGICO, EM NENHUM MOMEM TO
DE NOSSA CONVERSA, TEVE KRATZER UMA PALAVRA DE ENCRAJAMENTO QUANTO
A POSSIBILIDADE DE UMA AUTORIZAÇÃO AMERICANA NESTE PARTICULAR,
EMBORA SEMPRE SE ABSTIVESSE DE EMITIR UMA NEGATIVA PEREMPÓRIA E
TAXATIVA.

CREIO QUE DEVEREMOS ESPERAR ALGUNS DIAS ATÉ QUE MY-
RON KRATZER SE FORNEÇA OS PROMETIDOS ELEMENTOS ADICIONAIS DE IN-
FORMAÇÃO, MAS NÃO ESCONDEI A VOSSA EXCELÊNCIA QUE O SECRETÁRIO
DE ESTADO ASSISTENTE ME PARECEU DUÍDO E EVASIVO, RAZAO PELA
QUAL TAL VEZ VENHA A SER INEVITÁVEL SE DESEJARMOS
OBTER PALAVRA OFICIAL DO GOVERNO AMERICANO SOBRE UM EPISÓDIO QUE
NÃO ESTÁ INTEIRAMENTE CLARO EM MEU ESPÍRITO. ESTIMARIA CONHECER
A EXACÇÃO DE VOSSA EXCELÊNCIA EM RELAÇÃO A ESSE CURSO DE AÇÃO, BEN
COMO, CASO A REAÇAO DEVE SEJA AFIRMATIVA, RECEBER OS DADOS E ESCLARE-
CIENTOS COMPLEMENTARES SOBRE OS PARTICULARS DA QUESTÃO, A DESE-
SITARIA DESSES DADOS E ELEMENTOS PARA INSTRUIR A EVENTUAL NOTA AO
DEPARTAMENTO DE ESTADO.

JOAO AUGUSTO DE ARAUJO CASTRO
Com referência ao parágrafo 5 do telegrafo 4905, Vossa Excelência está autorizado a preparar a nota como ensinada ao Departamento de Estado e entregá-la no momento que lhe parecer mais oportuno.

EXTERIORES
TELEGRAMA RECEBIDO

Decreto nº 60.417/67

Classificação alterada para
☐ - Ostensivo  ☐ - Reservado  ☐ - Confidencial  ☐ - Secreto

por ordem de

DA EMBRAIXADA EM WASHINGTON
EN 3/12/1975

SECRETO - URGENTÍSSIMO

EN 168608

ENERGIA NUCLEAR. RETRANSFERENCIA DE MATERIAL NUCLEAR ESPECIAL DE ORIGEM AMERICANA PARA O BRASIL. NOTA AO DEPARTAMENTO DE ESTADO.

4955 - QUARTA-FEIRA - 19:30 HORAS - REFERENCIA AO DESPACHO-TELEGRÁFICO N. 1774. CASO NÃO RECEBA, DENTRO DE DOIS DIAS, OS ESCOLARENCENTOS PROMETIDOS POR MYRON KRAMER, EH MINHA INTENÇÃO PASSAR NOTA AO DEPARTAMENTO DE ESTADO, CUJA PARTE SUBSTANTIUALMENTE BÚSITA A SEGUIR AA APROVAÇÃO DE Vossa Excelência.


2. THE BRAZILIAN EMBASSY RECEIVED A SECOND LETTER FROM THE DELEGATION OF THE COMMISSION OF THE EUROPEAN COMMUNITIES IN WASHINGTON DATED NOVEMBER 13, 1975, WHEREBY IT IS INDICATED THAT THE SAID RETRANSFER OF SPECIAL NUCLEAR MATERIAL HAD BEEN POSTPONED FOR ONE YEAR BY THE FRENCH ATOMIC ENERGY COMMISSION, WITHOUT SPECIFYING THE REASONS FOR SUCH A DELAY.

3. SUBSEQUENTLY, THE BRAZILIAN EMBASSY IN PARIS INQUIRED OF THE FRENCH GOVERNMENT ON THE MOTIVES THAT HAD CAUSED THE ONE-YEAR POSTPONEMENT, AND LEARNED FROM THE AUTHORITIES IN FRANCE THAT THE EURATOM SUPPLY AGENCY HAD CONSULTED WITH THE UNITED STATES GOVERNMENT ON THE MATTER PRIOR TO ANY RETRANSFER COULD TAKE PLACE, IN THE TERMS OF A BILATERAL EURATOM - UNITED STATES AGREEMENT ON THE CONTROL OF HIGHLY ENRICHED NUCLEAR FUELS.

THE RESPONSE OF THE UNITED STATES GOVERNMENT WAS THAT THE RETRANSFER COLD NOT BE AUTHORIZED BECAUSE BRAZIL HAD NOT COMPLIED WITH ALL THE NECESSARY REQUIREMENTS; I.E., THAT THE BRAZILIAN GOVERNMENT HAD NOT PREVIOUSLY ENTERED INTO AN AGREEMENT WITH THE UNITED STATES GOVERNMENT ON THE CONTROL OF HIGHLY ENRICHED NUCLEAR FUELS, SIMILAR TO THE ONE WHICH HAD BEEN SIGNED BY EURATOM.

4. AS TO DATE, THERE HAS BEEN NO COMMUNICATION FROM THE UNITED STATES GOVERNMENT TO BRAZILIAN AUTHORITIES RELATIVE TO THIS CASE. IT IS THEREFORE IN THE BEST INTEREST OF BOTH THE UNITED STATES AND BRAZIL AND THE INTENSIFICATION OF THE NUCLEAR COOPERATION BETWEEN THE TWO COUNTRIES THAT THIS MATTER BE PROPERLY ELUCIDATED AND THAT THE BRAZILIAN GOVERNMENT RECEIVE THE OFFICIAL CLARIFICATIONS FROM THE UNITED STATES GOVERNMENT ON THE ACTION TAKEN WITH REGARD TO THE REQUEST BY EURATOM.


CÓPIA ESPECIAL PARA

(1)
6. ALSO ENCLOSED IS A NOTE ON THE COBRA CRITICAL EXPERIMENT, FOR WHICH THE SPECIAL NUCLEAR MATERIAL IS DESTINED, AS PUBLISHED IN THE JULY-AUGUST 1975 ISSUE OF THE BULLETIN OF THE FRENCH ATOMIC ENERGY COMMISSION.*

2. O TEXTO DO BOLETIM DO "COMISSARIAT A L'ENERGIE ATOMIQUE" ALUÍDO NO SEXTO PARÁGRAFO DO PROJETO DE NOTA EN O SEGUINTE:

"UN REACTEUR EXPERIMENTAL FRANÇAIS POUR LE BRESIL - M. NOGUEIRA BATISTA, PRESIDENT DE LA SOCIÉTÉ EMPRESAS NUCLEARES BRASILEIRAS S.A. (NUCLEBRAS), ORGANISME PUBLIC À VOCATION INDUSTRIELLE CHARGE DE LA MISE EN ŒUVRE DU PROGRAMME NUCLEAIRE BRESILIEN, ET M. REMY CARLE, PRESIDENT DE LA SOCIÉTÉ TECHNIQUE POUR L'ÉNERGIE ATOMIQUE (TECHNOCARAT) ONT SIGNÉ À PARIS, LE 4 JUILLET 1975, UN CONTRAT POUR LA RÉALISATION AU BRESIL D'UN REACTEUR EXPERIMENTAL DENOMmé COBRA. CE REACTEUR DÉRIVE DU REACTEUR FRANÇAIS MINERVE EN FONCTIONNEMENT AU CENTRE D'ETUDES NUCLEAIRES DE FONTENAY-AUX-ROSES EST DANS LA LIGNE DES REACTEURS DE LA FILIERE À NEUTRONS RAPIDES QUI ONT CONDUIT EN FRANCE À RAPSODIE PUIS À PHENIX. LE PROJET COBRA PERMETTRA NOTAMMENT L'ETUDE DES COEURS DES REACTEURS SURREGENERATEURS QUI CONSTITUERONT DANS UN PROCHAIN AVENT LA NOUVELLE GENERATION DES CENTRALES NUCLEAIRES. IL SERA IMPLANTÉ À RIO DE JANEIRO."
Energia nuclear. Retransferência de material nuclear de origem americana da França para o Brasil.

Referência ao telegrama 4855. De acordo com o curso de ação proposto por Vossa Excelência.
TELEGRAMA RECEBIDO

Decreto n° 60.417/67

Classificação alterada para

☐-Ostensivo ☐-Reservado ☐-Confidencial ☐-Secreto

por ordem de

DA EMBAXADA EM WASHINGTON

EM 5/12/1975

SECRET

DPB/DCS/DC-1

ENERGIA NUCLEAR, RETRANSFERENCIA DE

MATERIAIS NUCLEARES DE ORIGEM AMERICANA

DA FRANCA PARA O BRASIL.

169901

4890 - SEXTA-FEIRA - 19h15 HORAS - REFERENCIA AO DES-

PACHO-TELEGRAFICO N. 176A. FOI ENTREGUE HOJE A NOTA AO DEPARTA-

MENTO DE ESTADO, DE ACORDO COM AS INSTRUÇÕES DE VOSSA EXCELENCIA.

JOAO AUGUSTO DE ARAUJO CASTRO
DECRETO Nº 60.017/67 — Classificação alterada para
− Ostensivo − Reservado − Confidencial − Secreto
por ordem de

DA EMBÃIXADA EM WASHINGTON
NA 12/12/75
SECRETAR — URGENTE

DPB/DOS/01/DE-1/

ENERGIA NUCLEAR. RETRANSFERÊNCIA
DE MATERIAL NUCLEAR ESPECIAL DE
ORIGEM AMERICANA PARA O
BRASIL.

4994 — SEGUNDA-FEIRA — 18,30 HORAS — ADISET — 4990 E DEMAIOS COMUNICAÇÃES SOBRE O ASSUNTO. A EMBÃIXADA RECEBEU HOJE, 15 DE DEZEMBRO, A SEGUNDA CARTA DA DELEGACÃE DA COMISSION DA COMUNIDADES EUROPEIAS EM WASHINGTON, DATADA DE 12 DE DEZEMBRO, A PROPOSTA DA RETRANSFERÊNCIA DA FRANÇA PARA O BRASIL DE MATERIAL NUCLEAR ESPECIAL DE ORIGEM AMERICANA:

"SUBJECT: TRANSFER OF 11,42 KG OF URANIUM 93 0/0 ENRICHED FROM FRANCE TO BRASIL (OUR REF: AG/1058)."

WITH REFERENCE TO RECENT TELEPHONE CONVERSATIONS YOU HAD WITH
JOSEPH MARCHAL OF THIS OFFICE, WE WISH TO CLARIFY THE MISUNDERSTANDING WHICH OCCURRED IN THE PROCESS OF ESTABLISHING ABOVE RETRANSFER REQUIREMENTS.

ON OCTOBER 23, 1975, WE RECEIVED FROM THE EURATOM SUPPLY AGENCY A SET OF H-10 FORMS COVERING ABOVE RETRANSFER AND INDICATING THAT SHIPMENT OF MATERIAL INVOLVED WAS SCHEDULED TO TAKE PLACE BY THE END OF OCTOBER 1975. WE TRANSMITTED THESE FORMS TO YOU FOR COUNTERSIGNATURE BY BRAZILIAN AUTHORITIES, ON OCTOBER 24, 1975.

ON OCTOBER 31, 1975, DURING AN INFORMAL CONVERSATION WE HAD WITH AN ERDA INTERNATIONAL SECURITY AFFAIRS OFFICIAL, HE LEARNED THAT PRESENTLY BRAZIL DOES NOT HAVE THE U.S. ERDA CLEARANCE FOR "PHYSICAL PROTECTION" THAT ALL OVERSEAS CONSIGNEES NEED TO HAVE PRIOR TO RECEIVE RELATIVELY IMPORTANT QUANTITIES OF HIGHLY ENRICHED URANIUM OR PLUTONIUM OF U.S. ORIGIN.

WE ALSO UNDERSTOOD DURING THIS CONVERSATION THAT ERDA WAS NOT PLANNING ITS "FAMILIARIZATION VISIT" TO BRAZIL UNTIL THE END OF CURRENT CALENDAR YEAR.

IN VIEW OF THIS SITUATION, WE INFORMED THE CEA (THROUGH THE EURATOM SUPPLY AGENCY) THAT TRANSFER SCHEDULED FOR OCTOBER 1975 WOULD NECESSARILY HAVE TO BE POSTPONED.

ON NOVEMBER 13, 1975, WE RECEIVED FROM CEA (THROUGH EURATOM SUPPLY AGENCY) NOTIFICATION TO THE EFFECT THAT ABOVE SHIPMENT WOULD TAKE PLACE IN OCTOBER 1976. IT APPEARED THAT OCTOBER 1975 TRANSFER DATE INDICATED IN THE H-10 FORM WAS ERRONEOUS.

ON NOVEMBER 13, 1975, WE INFORMED YOU OF NEW TRANSFER SCHEDULE AND INFORMED THE H-10 FORMS BE DISREGARDED FOR THE TIME BEING UNTIL ERDA'S APPROVAL FOR RETRANSFER IS OILY VALID FOR A 6-MONTH PERIOD.

IT IS TO BE REALIZED THAT, IN ABOVE PROCESS, U.S. AUTHORITIES DID NOT RECEIVE FROM EURATOM A FORMAL REQUEST FOR RETRANSFER.*

(CONTINUA NA SEGUNDA PARTE E FINAL)

COPIA ESPECIAL PARA

(dp6)
TELEGRAMA RECEBIDO

Decreto nº 60.417/67

Classificação alterada para

[-] Ostensivo  [-] Reservado  [-] Confidencial  [-] Secreto

por ordem de

A CARTA CUJO TEXTO TRANSMITI ACIMA FOI DIRIGIDA AO DIPLOMATA RESPONSÁVEL PELO ASSUNTO NESTA MISSION, E EM ASSINAR PELO SENHOR C. HEIDENREICH, VICE-DIRETOR DA DELEGACAO DA COMISSÃO DAS COMUNIDADES EUROPEIAS, COPIAS DA MESMA FORAM ENVIADAS POR HEIDENREICH AOS SEGUINTES AUTORIDADES: F. BOUSSOIS, DIRETOR-GERAL DA "EURATOM SUPPLY AGENCY"; MICHEL CHAVIN, ADJUNTO DO ADIDO AA EMBAXADA DA FRANCA EM WASHINGTON PARA ASSUNTOS DE ENERGIA NUCLEAR; DIXON HOYLE, ASSESSOR DE MYRON KRATZER NO DEPARTAMENTO DE ESTADO; JAMES A. BARRET, JR., CHEFE DO "MATERIAL SUPPLY BRANCH" NO ESCRITÓRIO DE IMPLEMENTAÇÃO DE PROGRAMAS INTERNACIONAIS DA "ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION" (ERDA), E VANCE H. HUDGINS, DIRETOR DA DIVISÃO DE ASSUNTOS DE SEGURANÇA INTERNACIONAL DA ERDA.

2. NUNCA PRESSIONADO OS REPRESENTANTES DA EURATOM PARA QUE ALGUM "ESGARECIMENTO" FOsse PRESTADO AO GOVERNO BRASILEIRO SOBRE O EPISOdio DA ORDEM DE SUSPENSÃO DADA A RETRANSFERÊNCIA DE MATERIAL NUCLEAR ESPECIAL DE ORIGEM AMERICANA DA FRANCA PARA O BRASIL, SEM PRECISAR NUNCA O QUE OCORRERA, CON EFEITO, A CARTA HOJE RECEBIDA DEIXA O GOVERNO AMERICANO E O GOVERNO BRASILEIRO CONHECER A DECISÃO FORAL SOBRE A MATERIA, INDICANDO APENAS QUE TERI HAVIDO UMA "CONVERSA INFORMAL" COM UM FUNCIONÁRIO DA ERDA, NA DIVISÃO DE ASSUNTOS DE SEGURANÇA INTERNACIONAL, EM QUE O REFERIDO FUNCIONÁRIO TERIA INDICADO A INOPORTUNIDADE DA REALIZAÇÃO DE TAL RETRANSFERÊNCIA, NAS CONDIÇÕES ATUAIS. TERRÁ SIDO CITADO EXCLUSIVAMENTE COM BASE NUNCA "CONVERSA INFORMAL" QUE O GOVERNO FRANCês, ATRAVÉS DA "EURATOM SUPPLY AGENCY", RESOLVERA ADIAR POR UM ANO A RETRANSFERÊNCIA, OU, SE NÃO, FAZER CREER UM DOS TRECHOS DA CARTA, TERIA HAVIDO ERRO AO (SEM IDENTIFICAÇÃO DE AUTORIA, CONTUDO) QUANDO A DATA INICIAL DE OUTUBRO DE 1975: 'IT APPEARED THAT OCTOBER 1975 TRANSFER DATE INDICATED IN THE NO-10 FORM WAS ERRORIOUS'.


CELESTE DE SÁ
TELEGRAMA RECEBIDO

Decreto nº 60.417/67 — Classificação alterada para
Ostensivo  Reservado  Confidencial  Secreto
por ordem de:

DA EMBASSY IN WASHINGTON — EM 12/1/1976
SECRET  URGENTE  DIP/DIC/DIC/DE-1/
ENERGIA NUCLEAR. RETRANSFERÊNCIA DE
MATERIAL NUCLEAR ESPECIAL DE ORIGEM
AMERICANA DA FRANÇA PARA O BRASIL.
NOTA DO DEPARTAMENTO DE ESTADO.

122 - SEGUNDA-FEIRA - 16:00 HORAS — ADITAMENTO AO TE-
LEGRAMA N. 4994, DE 15 DE DEZEMBRO ULTIMO. TRANSCREVO, A SEGUIR,
O TEXTO DA NOTA DO DEPARTAMENTO DE ESTADO DATED DE 8 DE JANEIRO,
NO CALENDAR NESTA MISSÃO, EM RESPOSTA AO NOSA NOTA DE 5 DE
DEZEMBRO DE 1975:

"SIR:"

I HAVE RECEIVED THE AMBASSADOR'S NOTE DATED DECEMBER 5,
1975, CONCERNING THE APPROVAL OF RETRANSMISSION OF SPECIAL NUCLEAR
MATERIAL OF UNITED STATES ORIGIN FROM FRANCE TO BRAZIL.

THE DELEGATION OF THE COMMISSION OF THE EUROPEAN COMMUNITIES
INFORMED THE DEPARTMENT OF STATE OF THE SEQUENCE OF EVENTS WHICH
LED TO THE CANCELLATION OF THE MB-10 FORM TRANSMITTED VIA YOUR NOTE.
THE DELEGATION CANCELLED THE MB-10 FORM WITHOUT OFFICIALLY
SUBMITTING IT TO THE UNITED STATES GOVERNMENT AFTER IT LEARNED
(A) THAT THE FRENCH ATOMIC ENERGY COMMISSION WOULD NOT BE READY
FOR RETRANSMISSION OF THE MATERIAL UNTIL OCTOBER 1976 AND (B) THROUGH
THE UNITED STATES ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION
THAT THE GOVERNMENTS OF BRAZIL AND THE UNITED STATES HAD NOT YET
COMPLETED THE REQUIRED PHYSICAL SECURITY CONSULTATIONS.

THE CONSULTATIONS REFERRED TO BY THE ENERGY RESEARCH AND
DEVELOPMENT ADMINISTRATION ARE DESIGNED TO PROVIDE BOTH PARTIES TO
OUR AGREEMENTS FOR COOPERATION WITH ASSURANCE THAT SPECIAL NUCLEAR
MATERIAL OF STRATEGIC IMPORTANCE, INCLUDING HIGHLY ENRICHED
URANIUM AND PLUTONIUM, TRANSFERRED UNDER OUR AGREEMENTS WILL BE
ADEQUATELY PROTECTED AGAINST THEFT, SEIZURE, SABOTAGE OR OTHER
UNAUTHORIZED USE. SUCH CONSULTATIONS ARE BEING HELD, AT MUTUALLY
CONVENIENT TIMES, WITH PARTIES TO ALL OF OUR AGREEMENTS FOR
RESEARCH AND DEVELOPMENT OF MATERIALS OF THIS TYPE. WE UNDERSTAND
THAT THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION WILL
BE IN CONTACT WITH THE EMBASSY OF BRAZIL IN THE NEAR FUTURE TO
ARRANGE SUCH CONSULTATIONS WITH CLARIFICATION OF APPROPRIATE
OFFICIALS AND THE ORGANIZATION OF THE GOVERNMENT OF BRAZIL.

AS WAS EXPLAINED DURING THE AMBASSADOR'S RECENT CALL ON
THE ACTING ASSISTANT SECRETARY FOR OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS, THE SUPPLY OF HIGHLY
ENRICHED URANIUM, UNDER OUR AGREEMENT FOR COOPERATION IN THE
PEACEFUL USES OF NUCLEAR ENERGY IS DISCRETIONARY, IN VIEW OF
THE SENSITIVE NATURE OF THIS MATERIAL. THE UNITED STATES
GOVERNMENT IS PREPARED TO CONSIDER THE EXPORT OF THE MATERIAL
REQUESTED BY THE GOVERNMENT OF BRAZIL FOR USE IN THE COBRA
REACTOR, AND WILL BE IN COMMUNICATION WITH THE GOVERNMENT OF
BRAZIL ON THIS SUBJECT AFTER OUR REVIEW PROCEEDS SOMEWHAT FURTHER.

ACCEPT SIR, THE RENEWED ACCORDING TO MY HIGH
CONSIDERATION..."
2. A NOTA CUJO TEXTO TRANSMITI ACIMA ME EH DIRIGIDA, E FOI ASSINADA, EM NOME DO SECRETARIO DE ESTADO, PELO SENHOR MYRON B. KRATZER, SECRETARIO DE ESTADO ASSISTENTE, INTERINO, PARA ASSUNTOS CIENTÍFICOS.


4. Quanto ás afirmacao de que representantes da ERDA entrariam em contato com a embaixada, deve esclarecer não ver sido procurada esta missão sobre o assunto desde janeiro de 1975, ainda pela extinta comissão de energia atômica dos Estados Unidos (USAGE), sobre o tema geral das normas de proteção física. Estaria, contudo, poder contar com elementos de informação caso tais contatos vêminham a concretizar-se em futuro breve.

DE TODO ESTE EPISODIO, NO ENTANTO, FICOU CLARO QUE A COOPERACAO NUCLEAR INTERNACIONAL COM OS ESTADOS UNIDOS ASSUME PROFOCOES CADA VEZ MAIS RESTRICTIVAS, OU NO DIZER DA PROPRIA NOTA DO DEPARTAMENTO DE ESTADO, "DISCRICIONARIAS".

CELSO DINIZ
NOTA DA DDI: DADO CONHECIMENTO AO SECRETARIO DE PLANTÃO, EM 12/1/76.