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By AC - NARA Date 5/18/01

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## DEPARTMENT OF STATE

Washington, D.C. 20520

November 16, 1971

TOP SECRET - SENSITIVEMEMORANDUM FOR MR. HENRY A. KISSINGER  
THE WHITE HOUSESubject: Joint Committee on Atomic Energy  
Hearings on Projected Nuclear  
Safety Talks with the French

There is enclosed for your information an informal memorandum on the long-awaited hearings of the Joint Committee on Atomic Energy on our proposal to carry out nuclear safety talks with the French. The briefing of the Joint Committee was in implementation of NSDM-104 of March 29, 1971 and your memorandum of June 29, 1971.

With the Joint Committee on Atomic Energy briefed we now intend to inform the French, by way of a letter from Dr. Foster to Jean Blancard, Ministerial Delegate for Armament, that we are prepared to proceed with nuclear safety talks.

*Theodore L. Eliot, Jr.*  
Theodore L. Eliot, Jr.  
Executive Secretary

Attachment:

Memorandum on the JCAE Hearing

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## DEPARTMENT OF STATE

Washington, D.C. 20520

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November 10, 1971

Subject: Joint Committee on Atomic Energy  
Hearings on Projected Nuclear Safety  
Talks with the French

The Joint Committee on Atomic Energy held executive hearings on November 9 on our proposal to discuss nuclear safety with the French. Harold Brown of the AEC, Dr. Carl Walske (DOD), and I testified. The hearings were generally satisfactory and I believe we are now in a position to proceed with the French.

NSDM-104 of March 29, 1971 directed that discussions with the French Government concerning nuclear safety be reopened and that the AEC should inform the JCAE of such plans. Subsequently (April 15), Mr. Kissinger requested the Under Secretaries Committee to prepare guidelines for handling the Congressional relations aspect of the question. The USC's guidelines and recommendations were approved on June 3. On July 22 Ambassador Johnson and Under Secretary Packard met privately with Senator Pastore to explain the general nature of the endeavor. Since that date we have been awaiting word from the Joint Committee whether it wished more formal hearings on the topic or if we could feel free to go ahead with talks with the French. We were informed a few days ago that the JCAE had decided that it wished to hold hearings.

The hearings concentrated on a few points of nuclear safety. There were no questions on cooperation in the missile and computer fields, although our opening remarks acknowledged activity in these areas.

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a. Violation of the NPT - In response to a series of questions we made clear that we had considered and concluded that the contemplated talks were not of a nature to constitute a violation of the NPT. A copy of the Memorandum of Law prepared by the Legal Offices of the Department of State and ACDA was given to the Committee.

b. Effect of the talks on US-Soviet relations - The Joint Committee was informed that we had offered to hold nuclear safety talks with the Soviet Government within the context of SALT, but the Russians had not been interested. We agreed with a question from the Joint Committee that successful talks with the French might provide a pattern for subsequent discussions with the Soviets, and possibly the Chinese. We stated that we did not believe that the Soviets would take exception to our holding nuclear safety talks with an ally. The Committee in general seemed to wish the talks expanded to include the other four nuclear powers.

c. Who initiated the idea of the talks? - The Joint Committee pressed hard on this point, stressing that it hoped that the initiative had come from the French because it might give us some leverage toward bringing them back into NATO. We stated that in 1962 the initiative had come from us, but that General DeGaulle had blocked French cooperation. The current efforts arose from a general discussion between Jack Morse (ISA) and an old contact in the French AEC. The topic was mutually raised in the course of their conversation and both agreed that it was an idea worth pursuing with their respective governments.

d. Release of classified weapons design information - Probably the greatest attention of the hearings was given to clarification of the kind of weapon design information which would be released. Dr. Walske went into considerable detail about the distinction between the physics package

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of the bomb, which is classified information and would not be released, and the arming and fusing components, which are elements of safety that could be discussed. He made clear that the principle of PAL's would be discussed but that details would not be given the French. He acknowledged that Formerly Restricted Data released to the French in the early 1960's would be made available again to demonstrate some basic points of safety.

e. AEC representation of the briefing team - Mr. Holifield invited AEC Commissioner Ramey, who was present at the hearings, to comment. Commissioner Ramey agreed with previous remarks of Mr. Holifield that the endeavor was the realization of an idea which originated in the early 60's by Mr. Holifield, Dr. Harold Agnew and himself, and as such he was pleased to see the development. He raised, however, the possibility of an AEC lawyer knowledgeable on classification being attached to Dr. Walske's team. Dr. Walske resisted the idea but in the end stated that he would agree to including an AEC lawyer but nonetheless thought it was not necessary.

Senator Symington was very disgruntled throughout the meeting, although it was not apparent what he was unhappy about. He finally walked out. He did make the point that many nuclear weapons in the Far East did not have PAL devices. He expressed extreme distrust of the French and was opposed to bilateral talks with them; he did, however, seem to favor a general unclassified conference of the nuclear powers to discuss nuclear safety. He made the point that since the information to be discussed would be of an unclassified nature there should be no problem about having whatever we say appear in the Congressional Record.

Senator Pastore noted that the three agencies were not asking for permission to proceed with the French but were attempting to keep the Joint Committee fully informed of their plans. Senator Pastore was particularly helpful through the hearings and it was apparent that the private session which Ambassador Johnson and Mr. Packard had had with him was beneficial.

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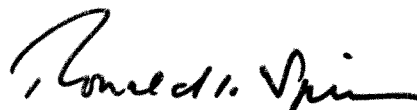
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In essence, the Joint Committee, with the possible exception of Senator Symington, appeared to be in favor of the proposed talks with the French on nuclear safety on the condition that no new Restricted Data would be released. Formally, however, the Joint Committee is not on record as having endorsed or being opposed to the talks with the French.

With the Joint Committee briefed on the project we now plan to inform the French officially that we are prepared to proceed with nuclear safety talks.



Ronald I. Spiers  
Director, Bureau of  
Politico-Military Affairs

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