

LBJ LIBRARY DOCUMENT WITHDRAWAL SHEET

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Doc #	DocType	Doc Info	Classification	Pages	Date	Restriction
01	ltr	U. Johnson to Seaborg <i>open 2-24-11 NW 09-246</i>	S	2	2/13/64	A
01a	ltr	Dutton to Pastore	S	2	2/13/64	A
01b	draft	"Draft Memorandum of Understanding"	S	6	2/13/64	A
01c	cable	Deptel to London	S	3	2/13/64	A
02	airgrm	Deptel A-475 to London	S	7	2/18/64	A
03	cable	Deptel 43 TOSEC Paris	S	4	12/17/63	A
04	cable	Deptel 2863 to London	S	1	11/4/63	A
06a	ltr	Mackay to Courtney	S	2	10/25/63	A
06b	memo	Paul [Nitze] to Kitchen	S	3	3/8/63	A
06c	memo	Wells to Orwick	S	2	3/63	A

Collection Title National Security File, Files of Charles E. Johnson
Folder Title "NUCLEAR - Nuclear Submarines (Holy Loch Documents)"

Box Number 037

Restriction Codes

- (A) Closed by Executive Order 13292 governing access to national security information.
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4/1/2009


Initials

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Doc #	DocType	Doc Info	Classification	Pages	Date	Restriction
06d	draft	Draft memo of Understanding open 2-24-11 NLJ 69-246	S	1	10/18/63	A
06f	draft	"Draft Aide-Memoire"	S	3	10/18/63	A
07	cable	London 2114	S	2	10/29/63	A
09	cable	London 2089	S	3	10/28/63	A
10	cable	Deptel 2673 to London	S	4	10/24/63	A
11	cable	Deptel 2709 to London	S	2	10/26/63	A
13	airgrm	Deptel A-347 to London	S	4	5/10/62	A

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Initials

13 February, 1964

1552

arrangements and that in any event after it has operated for a reasonable length of time, such as five years, plan on a formal review to determine what, if any, adjustments are desired in light of experience." We have not raised this point with the British. The arrangements have no specified time limit and either party may request review or revision at any time. Since the agreement incorporates the principles on safety and indemnity sought by us, we see serious disadvantages in hazarding by an automatic review provision either the reopening of most difficult negotiations (spanning a time period of almost four years) or the continued availability of the Holy Loch. The British have not requested a written commitment on reciprocity although the offer of reciprocity has been implicit in the exposition of our position and was referred to in the oral Aide Memoire provided British Embassy representatives. If your concern is that the Holy Loch understandings might create a precedent for the admitting of third country warships to our ports, we do not consider that it does. The only basis for third countries claiming reciprocity in our waters would be the conditions on which we sought and gained access to their ports.

Particularly in view of the President's instructions, we wish to finalize the Holy Loch understandings as soon as possible. We propose to send the attached letter to the Joint Committee and instruct our Embassy in London as indicated in the second attachment early next week. I am addressing a copy of this letter to Cyrus Vance and propose, in the interest of simplifying coordination procedures, to despatch the JCRC letter and Embassy instructions on Monday afternoon, February 17, in the absence of objection or other suggestion from either of you by noon Monday.

Concurrences:

Sincerely,

BUR -

L/BUR - Mr. Trippe

U. Alexis Johnson

cc: The Honorable Cyrus Vance

G/PM:Dorwick:fem:2/13/64

INCOMING TELEGRAM

Department of State

file -
"Holy Loch"

33

Action

SS

Info

NNNNEIB055DTA076EMB15
RR RUEHCR
DE RUDTLN 938C 31/1452Z
R 311422Z ZEA
FM AMEMBASSY LONDON
TO SECSTATE WASHDC
STATE GRNC
BT

~~SECRET~~ 2141 OCTOBER 31, 2 PM

HOLY LOCH AGREEMENT

EMBTel 2114

COURTNEY QUERIED ROSE (FOREIGN OFFICE) WHETHER HE COULD TELL US ANYTHING AS RESULT INTERDEPARTMENTAL MEETING OCTOBER 29. ROSE REPLIED HE WAS NOT FREE TO GIVE US ANYTHING SUBSTANTIVE OTHER THAN FIRST REACTION OF OTHER OFFICIALS CONCERNED HAD BEEN GENERALLY SIMILAR TO HIS OWN. ROSE PROMISED TO GET IN TOUCH WITH US AS SOON AS POSSIBLE.

GP-3. JONES

NOTE: HANDLED LD/SS per SSO.

024331

1963 OCT 31 AM 10 26

034

BUNDY-SMITH

ALEXANDER

BELK

ERUBECK

CHASE

DINGEMAN

DUNGAN

FORRESTAL

JENSON

KILDUFF

KLEIN

KOMER

PARROTT

CAUNDERS

SCALESINGER

SMITH, WM. Y.

DECLASSIFIED

E.O. 13292, Sec. 3.4

By *cbm/ly* NARA, Date 3-19-09~~SECRET~~REPRODUCTION FROM THIS COPY IS
PROHIBITED UNLESS "UNCLASSIFIED"

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DEPARTMENT OF STATE
DEPUTY UNDERSECRETARY

G/PM

October 31, 1963

White House - Charles E. Johnson

Chuck:

Per our conversation of
yesterday on the Holy Loch
Agreement.

Duncan A. D. Mackay

file "Holy Loch"

1238

MEMORANDUM OF UNDERSTANDING

6d

1. Recognizing the mutual interests of the Governments of the United Kingdom and the United States in the free and convenient access to each other's ports, harbors, havens, and roadsteads by the nuclear-powered warships of the Royal Navy and the United States Navy, the two Governments do hereby subscribe to the following understanding:

a. The ports, harbors, havens, and roadsteads of the United States and the United Kingdom shall be open to visits by the nuclear-powered warships of both navies *in the same manner as* ~~subject to the controls which~~ *conventionally powered warships* ~~would be exercised by the appropriate authorities of the host government.~~

b. It is agreed that such visits will not require assurances of financial liability arrangements beyond those normally in force for the conventionally-powered warships of each government.

c. It is further agreed that such visits will not require the provision of technical information for the purpose of an independent hazards evaluation by the host government.

d. It is further agreed that both nations will adhere to the protocol attached hereto and that this protocol will serve as the foundation for port entry arrangements with third countries by both governments.

2. It is recognized that the continuing use of a port, harbor, haven, or roadstead (such as has been the case with the Holy Loch), is a special situation not entirely covered by the above paragraph and the attached protocol. In the event that such continuing use shall be required on the part of either government, it is agreed that a special set of detailed arrangements will be negotiated, such arrangements, however, will not abrogate the liability or technical information agreements set forth in paragraph one above.

DECLASSIFIED
E.O. 13526, Sec. 3.5

By NLJ D9-246
NARA, Date 2-2-11

~~SECRET~~
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1238

Monday

62

9-12-63

UNITED STATES STATEMENT ON
OPERATION OF U. S. NUCLEAR POWERED WARSHIPS
IN FOREIGN PORTS

1. The U. S. Government certifies that reactor safety aspects of design, crew training and operating procedures of the nuclear propulsion plant of U. S. nuclear powered warships are as reviewed by the U. S. Atomic Energy Commission and the statutory Advisory Committee on Reactor Safeguards, and as defined in officially approved manuals. The U. S. Government also certifies that all safety precautions and procedures followed in connection with operations in U. S. ports will be strictly observed in foreign ports.

2. In connection with the operation of U. S. nuclear powered warships in foreign ports --

a. No effluent or other waste will be discharged from the ship which would cause a measurable increase in the general background radioactivity of the environment: waste disposal standards are consistent with the recommendations of the International Commission on Radiological Protection.

b. During the period of the visit, the personnel of the nuclear powered warship will be responsible for radiological control on board the ship and for environmental monitoring in its immediate vicinity. The host government may, of course, take such surveys as it desires, in the vicinity of the warship, to assure itself that the visiting ship is not creating a radioactive contamination hazard.

DO NOT CONFIDENTIAL USE ONLY

c. The appropriate authorities of the host government will be notified immediately in the event of an accident involving the reactor of the warship during a port visit.

d. The U. S. Government assumes the responsibility to salvage or otherwise make safe any U. S. nuclear-powered warship which might be incapacitated in a foreign port.

e. The U. S. Government does not make technical information on the design or operation of its nuclear powered warships available to host governments in connection with port entry. The U.S. Government cannot, therefore, permit the boarding of its nuclear powered warships for the purpose of obtaining technical information concerning their propulsion plants or operating instructions.

f. The United States Navy will normally inform the appropriate host government authorities at least 24 hours (prior to entry of any nuclear powered warship) in advance as to the estimated time of arrival and intended location of mooring or anchoring of its nuclear powered warships.

g. The United States will, of course, welcome the customary protocol visits to its nuclear powered warships by representatives of the host government.

The
Hedgebrook
Preserve

Subject
12

October 23, 1963

MEMORANDUM FOR MR. BUNDY

Mac --

Holy Loch

See attached London 1988.

As you know, the agreement of Holy Loch was not completed due to the insoluble problem of safety and liability. AEC had problems on both subjects. The Home government is worried about facing Commons without having an agreement or progress thereon to report.

There is no action for you at this time but I wanted you to be aware of this situation and also to be informed that our Navy (Capt. Calvert) is developing a new and very promising initiative based on the concept of a reciprocal acceptance of standards, and agreement that each would recognize the same liability policy as is now applied to conventional warships. This is now made possible by the fact that the DREADNOUGHT has been completed and will visit the U. S. next summer. In addition, the UK will begin cooperative weapons tests at Canaveral using Polaris sometime next year.

There are a few other subjects covered by the draft agreement such as logistic support, harbor regulations, etc., that will be handled by service-to-service agreement and would present no problems once the safety and liability matters are cleared away.

Charles E. Johnson