## LBJ LIBRARY DOCUMENT WITHDRAWAL SHEET

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04	ltr (C	Pen 2:24:11 NW 09:246	8	2	<del>2/13/64</del>	^
01a	ltr	Dutton to Pastore	s	2	2/13/64	Α
01b	draft	"Draft Memorandum of Understanding"	S	6	2/13/64	Α
01c	cable	Deptel to London	s	3	2/13/64	А
02	airgrm	Deptel A-475 to London	s	7	2/18/64	Α
03	cable	Deptel 43 TOSEC Paris	s	4	12/17/63	. A
04	cable	Deptel 2863 to London	s	1	11/4/63	Α
06a	ltr	Mackay to Courtney	s	2	10/25/63	8 A
06b	memo	Paul [Nitze] to Kitchen	s	3	3/8/63	А
06c	memo	Wells to Orwick	s	2	3/63	А

Collection Title National Security File, Files of Charles E. Johnson

Folder Title "NUCLEAR - Nuclear Submarines (Holy Loch Documents)"

Box Number 037

**Restriction Codes** 

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0 <del>00</del>	draft	CN 2:24:11 NW 69:246	8	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	Α -
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	Α

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4/1/2009

"Holy Lock"
13 February, 1964

Steam Clause

The concurred by your letter of December 3.

1963, addressed to the Deputy Secretary of Defense
in our proposed new approach to a resolution of
the Moly Lech understandings. Since that time
negotiations have been carried on in part between
Vice Admiral Rickover and Sir Solly Suckerman and
in part between my staff and British Rebnsmy
representatives on the text of a Homesadum of
Inderstanding. The British Frime Hinister today
advised the President that United Kingdom Ministers
had agreed to the text attacked. The President
stated that we would instruct our Rebassy in London
to agrange promptly the exchange of notes formalizing
this Understanding.

Your stuff have participated in the informal inter-agency group which supported the discussions with the British and which have led to the present agreement. They will be this to inform you on the detailed negotiating record. As you will note, we take successful in obtaining an agreement wholly in keeping with the terms and objectives of the approach set forth in Deputy Secretary Gilpatric's letter of November 29.

In your letter of December 3, you suggested that, in our exposition of the US position to the Eritish, we "indicate that the parties will from time to time review the operation of the proposed

The Honorable

olenn T. Beaborg.

Chairman, Atomic Energy Commission, Washington, D.C.

DECLASSIFIED E.O. 13526, Sec. 3.5

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

CATACON STATE

arrangements and that in any event after it has operated for a reasonable length of time, such as five years, plan on a formal peview to determine what, if any, adjustments are desired in light of experience." We have not raised this point with the Paitich. 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 enfety and indemnity sought by us, we see perious disadvantages in hererding by an automatic review provision either the respening of most difficult negotiations (spanning a time period of almost four years) or the continued availability of the Holy Lock. The Eritish have not requested a written consituent on reciprocity although the offer of reciprocity has been implicit in the exposition of our position and was referred to in the cral Aide Mamoire provided British Enhancey reprecontatives. If your concern is that the Holy Lock understandings might create a procedent 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 Rebassy 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 consdination procedures, to despatch the JCAN letter and Endagsy instructions on Monday afternoon, February 17, in the absence of objection or other suggestion from either of you by noon Monday.

### Concurrences:

Sincerely.

EUR - L/EUR - Mr. Trippe

U. Alexis Johnson

our the Bonorable Cyrus Vance

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

## INCOMING TELEGRAM

# Department of State

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Action

SS Info

034

BUNDY-SMITH ALEXANDER

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FM AMEMBASSY LONDON TO SECSTATE WASHDC

STATE GRNC BT

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 MAD BEEN GENERALLY SIMILAR TO HIS OWN. ROSE PROMISED TO GET IN TOUCH WITH US AS SOON AS POSSIBLE.

GP-3. JONES

HANDLED LD/SS per SSO. NOTE:

> DECLASSIFIED) E.O. 13292, Sec. 3.4 By Chm/A NARA, Date 3-19-09

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# DEPARTMENT OF STATE DEPUTY UNDERSECRETARY

G/PM

October 31, 1963

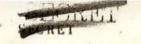
White House - Charles E. Johnson

Chuck:

Per our conversation of yesterday on the Holy Loch Agreement.

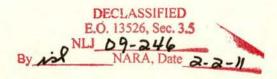
Duncan A. P. Mackay

1238



- 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:
- states and the United Kingdom shall be open to visits by the nuclearin the Same manner as,
  powered warships of both navies (subject to the controls which would
  conventionally Powered warships
  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.

J. 4,1, (4)





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UNITED STATES STATEMENT ON OPERATION OF U. S. NUCLEAR POWERED WARBILIPS 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.

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- c. The appropriate authorities of the bost 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.

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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