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**Folder Title:** JGR/Euratom  
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THE WHITE HOUSE

WASHINGTON

February 26, 1986

MEMORANDUM FOR DAVID L. CHEW  
STAFF SECRETARY AND DEPUTY ASSISTANT  
TO THE PRESIDENT

FROM: JOHN G. ROBERTS *JGR*  
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Executive Order Entitled  
"Nuclear Cooperation with Euratom"  
and Message to Congress

Counsel's Office has reviewed the proposed Executive Order and message to Congress on nuclear cooperation with Euratom. We have no legal objection to the proposed Order. In line 16, page 2, of the message to Congress, "out" should be "our."

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING  
Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Dave Chew

MI Mail Report      User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Proposed executive order entitled "nuclear cooperation with euratom"

**ROUTE TO:**

**ACTION**

**DISPOSITION**

| Office/Agency (Staff Name) | Action Code       | Tracking Date YY/MM/DD | Type of Response | Code     | Completion Date YY/MM/DD |
|----------------------------|-------------------|------------------------|------------------|----------|--------------------------|
| <u>CUHOLL</u>              | <u>ORIGINATOR</u> | <u>86102126</u>        |                  |          | <u>1 1</u>               |
|                            | Referral Note:    |                        |                  |          |                          |
| <u>CUAT 18</u>             | <u>R</u>          | <u>86102126</u>        |                  | <u>S</u> | <u>86102127</u>          |
|                            | Referral Note:    |                        |                  |          | <u>11am</u>              |
|                            |                   | <u>1 1</u>             |                  |          | <u>1 1</u>               |
|                            | Referral Note:    |                        |                  |          |                          |
|                            |                   | <u>1 1</u>             |                  |          | <u>1 1</u>               |
|                            | Referral Note:    |                        |                  |          |                          |
|                            |                   | <u>1 1</u>             |                  |          | <u>1 1</u>               |
|                            | Referral Note:    |                        |                  |          |                          |

**ACTION CODES:**

- A - Appropriate Action
- I - Info Copy Only/No Action Necessary
- C - Comment/Recommendation
- R - Direct Reply w/Copy
- D - Draft Response
- S - For Signature
- F - Furnish Fact Sheet to be used as Enclosure
- X - Interim Reply

**DISPOSITION CODES:**

- A - Answered
- C - Completed
- B - Non-Special Referral
- S - Suspended

**FOR OUTGOING CORRESPONDENCE:**

Type of Response = Initials of Signer  
Code = "A"  
Completion Date = Date of Outgoing

Comments: \_\_\_\_\_

Keep this worksheet attached to the original incoming letter.  
Send all routing updates to Central Reference (Room 75, OEOB).  
Always return completed correspondence record to Central Files.  
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

# WHITE HOUSE STAFFING MEMORANDUM

DATE: 2/26/86 ACTION/CONCURRENCE/COMMENT DUE BY: 11:00 a.m. 2/27/86

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "NUCLEAR COOPERATION WITH EURATOM"

|                | ACTION FYI                          |                                     |            | ACTION FYI                          |                                     |
|----------------|-------------------------------------|-------------------------------------|------------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input type="checkbox"/>            | <input type="checkbox"/>            | OGLESBY    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| REGAN          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | POINDEXTER | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| MILLER         | <input type="checkbox"/>            | <input type="checkbox"/>            | RYAN       | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BUCHANAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | SPEAKES    | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CHAVEZ         | <input type="checkbox"/>            | <input type="checkbox"/>            | SPRINKEL   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CHEW           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | STEELMAN   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| DANIELS        | <input type="checkbox"/>            | <input type="checkbox"/>            | SVAHN      | <input type="checkbox"/>            | <input type="checkbox"/>            |
| FIELDING       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | THOMAS     | <input type="checkbox"/>            | <input type="checkbox"/>            |
| HENKEL         | <input type="checkbox"/>            | <input type="checkbox"/>            | TUTTLE     | <input type="checkbox"/>            | <input type="checkbox"/>            |
| HICKS          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| KINGON         | <input type="checkbox"/>            | <input type="checkbox"/>            | _____      | <input type="checkbox"/>            | <input type="checkbox"/>            |
| LACY           | <input type="checkbox"/>            | <input type="checkbox"/>            | _____      | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS: Please give your recommendations to my office by 11:00 a.m. tomorrow. Thanks.

RESPONSE:

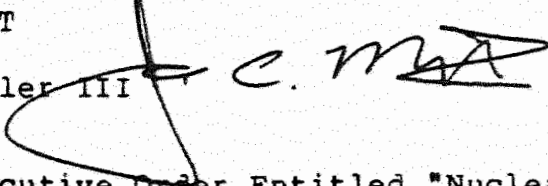


EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

February 21, 1986

FEB 20 1986

MEMORANDUM FOR: THE PRESIDENT

FROM: James C. Miller III   
Director

SUBJECT: Proposed Executive Order Entitled "Nuclear  
Cooperation With EURATOM"

SUMMARY. The proposed Executive order would extend for one year the period for nuclear cooperation with the European Atomic Energy Community (EURATOM), which otherwise would expire on March 10, 1986.

BACKGROUND. The Atomic Energy Act generally prohibits nuclear cooperation with any nation which does not agree to prior United States approval of any reprocessing of United States-supplied special nuclear material. The United States-EURATOM agreement does not provide for such prior approval.

The Act nevertheless authorizes the President to extend the period of cooperation with EURATOM by Executive order for up to one year at a time. Six prior one-year extensions have been granted by Executive Orders. The existing extension will expire by its own terms on March 10, 1986. This proposed order would grant another one-year extension until March 10, 1987.

The Atomic Energy Act requires that, prior to granting such an extension, the President must notify the Congress of his determination that failure to continue nuclear cooperation with EURATOM would be seriously prejudicial to the achievement of our non-proliferation objectives and would otherwise jeopardize the common defense and security of the United States. The proposed notification to the Congress, which is attached to the Memorandum, explains the reasons why this action is being taken. The notification should be signed and sent to the Congress immediately prior to the signature of the proposed order.

This proposal has the concurrence of all affected agencies.

RECOMMENDATION. I recommend that you sign the notification to the Congress and the proposed Executive order.

Attachments

UNCLASSIFIED  
(WITH CONFIDENTIAL ATTACHMENT)



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

-B 25 1986

The President,

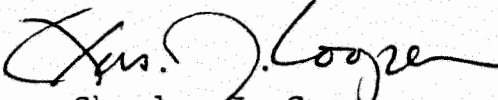
The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Nuclear Cooperation With EURATOM." This proposed Executive order has been submitted by the Department of State. The Office of Management and Budget, with the approval of the Director, has forwarded it to this Department for review of its form and legality.

The proposed Executive order is approved with respect to form and legality.

Respectfully,

  
Charles J. Cooper  
Assistant Attorney General  
Office of Legal Counsel

EXECUTIVE ORDER

- - - - -

NUCLEAR COOPERATION WITH EURATOM

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 126a(2) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2155(a)(2)), and having determined that, upon the expiration of the period specified in the first proviso to Section 126a(2) of such Act and extended by Executive Orders No. 12193, 12295, 12351, 12409, 12463 and 12506, failure to continue peaceful nuclear cooperation with the European Atomic Energy Community would be seriously prejudicial to the achievement of the United States non-proliferation objectives and would otherwise jeopardize the common defense and security of the United States, and having notified the Congress of this determination, I hereby extend the duration of that period to March 10, 1987.

THE WHITE HOUSE

Dear Mr. Speaker:

The United States has been engaged in nuclear cooperation with the European Community for many years. This cooperation was initiated under agreements concluded over two decades ago between the United States and the European Atomic Energy Community (EURATOM) which extend until December 31, 1995. Since the inception of this cooperation, the Community has adhered to all its obligations under those agreements.

The Nuclear Non-Proliferation Act of 1978 amended the Atomic Energy Act to establish new nuclear export criteria, including a requirement that the United States have a right to consent to the reprocessing of fuel exported from the United States. Our present agreements for cooperation with EURATOM do not contain such a right. To avoid disrupting cooperation with EURATOM, a proviso was included in the law to enable continued cooperation until March 10, 1980, if EURATOM agreed to negotiations concerning our cooperation agreements, which it did.

The law also provides that nuclear cooperation with EURATOM can be extended on an annual basis after March 10, 1980, upon determination by the President that failure to cooperate would prejudice seriously the achievement of United States non-proliferation objectives or otherwise jeopardize the common defense and security, and after notification to the Congress.



President Carter made such a determination six years ago and signed Executive Order 12193, permitting continued nuclear cooperation with EURATOM until March 10, 1981. Subsequent determinations have permitted continued nuclear cooperation through March 10, 1986.

In addition to numerous informal contacts, the United States has engaged in nine rounds of talks with EURATOM regarding the renegotiation of the U.S.-EURATOM agreements for cooperation. These were conducted in November 1978, September 1979, April 1980, January 1982, November 1983, March 1984 and May, September and November 1985. The European Community is now considering U.S. proposals relating to our cooperation agreements, and further progress in the talks is anticipated this year.

I believe that it is essential that cooperation between the United States and the Community continue and, likewise, that we work closely with out) allies to counter the threat of nuclear explosives proliferation. A disruption of nuclear cooperation would not only eliminate any chance of progress in our talks with EURATOM related to our agreements, it would also cause serious problems in our overall relationships. Accordingly, I have determined that failure to continue peaceful nuclear cooperation with EURATOM would be seriously prejudicial to the achievement of United States non-proliferation objectives and would jeopardize the common defense and security of the United States. I intend to sign an Executive Order to extend the waiver of the

application of the relevant export criterion of the Nuclear Non-Proliferation Act for an additional twelve months from March 10, 1986.

Sincerely,

The Honorable

Thomas P. O'Neill, Jr.,

Speaker of the House of Representatives.

**Dear Mr. President:**

The United States has been engaged in nuclear cooperation with the European Community for many years. This cooperation was initiated under agreements concluded over two decades ago between the United States and the European Atomic Energy Community (EURATOM) which extend until December 31, 1995. Since the inception of this cooperation, the Community has adhered to all its obligations under those agreements.

The Nuclear Non-Proliferation Act of 1978 amended the Atomic Energy Act to establish new nuclear export criteria, including a requirement that the United States have a right to consent to the reprocessing of fuel exported from the United States. Our present agreements for cooperation with EURATOM do not contain such a right. To avoid disrupting cooperation with EURATOM, a proviso was included in the law to enable continued cooperation until March 10, 1980, if EURATOM agreed to negotiations concerning our cooperation agreements, which it did.

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application of the relevant export criterion of the Nuclear  
Non-Proliferation Act for an additional twelve months from  
March 10, 1986.

Sincerely,

The Honorable

George Bush,

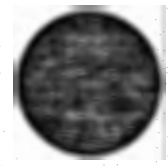
President of the Senate.

*ND 018*

**WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

**COPY**  
**from ORM**



Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: DAVID L. CRUEL

MI Mail Report User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Proposed Executive Order entitled "Nuclear Cooperation with Euratom" & notification to the Congress

**ROUTE TO:**

**ACTION**

**DISPOSITION**

| Office/Agency (Staff Name) | Action Code                     | Tracking Date YY/MM/DD | Type of Response | Code     | Completion Date YY/MM/DD |
|----------------------------|---------------------------------|------------------------|------------------|----------|--------------------------|
| <u>CUNELL</u>              | <u>ORIGINATOR</u>               | <u>85102127</u>        |                  | <u>C</u> | <u>85102127</u>          |
| <u>CUAT R</u>              | <u>R</u>                        | <u>85102127</u>        |                  | <u>C</u> | <u>85102127</u>          |
|                            | <u>2-27-85 JCR MEMO TO CHEW</u> |                        |                  |          |                          |
|                            |                                 | <u>1 1</u>             |                  |          | <u>1 1</u>               |
|                            |                                 | <u>1 1</u>             |                  |          | <u>1 1</u>               |
|                            |                                 | <u>1 1</u>             |                  |          | <u>1 1</u>               |

**ACTION CODES:**

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

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- B - Non-Special Referral
- C - Completed
- S - Suspended

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- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: \_\_\_\_\_


Keep this worksheet attached to the original incoming letter.  
Send all routing updates to Central Reference (Room 75, OEOB).  
Always return completed correspondence record to Central Files.  
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE

WASHINGTON

February 27, 1985

MEMORANDUM FOR DAVID L. CHEW  
STAFF SECRETARY

FROM: JOHN G. ROBERTS   
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Executive Order Entitled "Nuclear  
Cooperation with Euratom" and Notification  
to the Congress

Counsel's Office has reviewed the above-referenced proposed executive order, and finds no objection to it from a legal perspective. The accompanying proposed letter to Congress, however, contains an error. On page 2, line 7, "four" should be changed to "five." In the proposed press release, line 7, "1978 Nuclear Non-Proliferation Act" should be changed to "Nuclear Non-Proliferation Act of 1978."

# WHITE HOUSE STAFFING MEMORANDUM

DATE: 2/27/85 ACTION/CONCURRENCE/COMMENT DUE BY: 3/1/85

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "NUCLEAR COOPERATION WITH EURATOM" & NOTIFICATION TO THE CONGRESS

|                | ACTION FYI                          |                                     |              | ACTION FYI                          |                                     |
|----------------|-------------------------------------|-------------------------------------|--------------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input type="checkbox"/>            | <input type="checkbox"/>            | MURPHY       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| MEESE          | <input type="checkbox"/>            | <input type="checkbox"/>            | OGLESBY      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| REGAN          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROGERS       | <input type="checkbox"/>            | <input type="checkbox"/>            |
| DEAVER         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | SPEAKES      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| STOCKMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | SVAHN        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CHEW           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | VERSTANDIG   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FIELDING       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | WHITTLESEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FULLER         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | KINGON       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| TUTTLE         | <input type="checkbox"/>            | <input type="checkbox"/>            | BUCHANAN     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HICKEY         | <input type="checkbox"/>            | <input type="checkbox"/>            | ROLLINS      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| McFARLANE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | FRIEDERSDORF | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| McMANUS        | <input type="checkbox"/>            | <input type="checkbox"/>            | _____        | <input type="checkbox"/>            | <input type="checkbox"/>            |

**REMARKS:**

Please provide any comments/recommendations by Friday, March 1.  
Thank you.

**RESPONSE:**

1985 FEB 27 11 3: 32

David L. Chew  
Staff Secretary  
Ext. 2702





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 25, 1985

MEMORANDUM FOR: THE PRESIDENT

FROM: DAVID A. STOCKMAN *AAS*

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "NUCLEAR COOPERATION WITH EURATOM"

SUMMARY. This proposed Executive order would extend for one year the period for nuclear cooperation with the European Atomic Energy Community (EURATOM), which otherwise would expire on March 10, 1985.

BACKGROUND. The Atomic Energy Act generally prohibits nuclear cooperation with any nation which does not agree to prior United States approval of any reprocessing of United States-supplied special nuclear material. The United States-EURATOM agreement does not provide for such prior approval.

The Act nevertheless authorizes the President to extend the period of cooperation with EURATOM by Executive order for up to one year at a time. Five prior one-year extensions have been granted by Executive Orders. The existing extension will expire by its own terms on March 10, 1985. This proposed order would grant another one-year extension until March 10, 1986.

The Atomic Energy Act requires that, prior to granting such an extension, the President must notify the Congress of his determination that failure to continue nuclear cooperation with EURATOM would be seriously prejudicial to the achievement of our non-proliferation objectives and would otherwise jeopardize the common defense and security of the United States. The proposed notification to the Congress, which is attached to this Memorandum, explains the reasons why this action is being taken. The notification should be signed and sent to the Congress immediately prior to the signature of the proposed order.

This proposal has the concurrence of all affected agencies.

RECOMMENDATION. I recommend that you sign the proposed Executive order.

Enclosure



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

FEB 26 1985

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Nuclear Cooperation with EURATOM."

This proposed order was submitted by the Department of State. It has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,

Ralph W. Tarr  
Acting Assistant Attorney General  
Office of legal Counsel

EXECUTIVE ORDER

- - - - -

NUCLEAR COOPERATION WITH EURATOM

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 126a(2) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2155(a)(2)), and having determined that, upon the expiration of the period specified in the first proviso to Section 126a(2) of such Act and extended by Executive Orders No. 12193, 12295, 12351, 12409 and 12463, failure to continue peaceful nuclear cooperation with the European Atomic Energy Community would be seriously prejudicial to the achievement of the United States non-proliferation objectives and would otherwise jeopardize the common defense and security of the United States, and having notified the Congress of this determination, I hereby extend the duration of that period to March 10, 1986.

THE WHITE HOUSE,

SUGGESTED LETTER TO Speaker • VP

Dear Mr. Speaker:

The United States has been engaged in nuclear cooperation with the European Community for many years. This cooperation was initiated under agreements concluded over two decades ago between the United States and the European Atomic Energy Community (EURATOM) which extend until December 31, 1995. Since the inception of this cooperation, the Community has adhered to all its obligations under those agreements.

The Nuclear Non-Proliferation Act of 1978 amended the Atomic Energy Act to establish new nuclear export criteria, including a requirement that the United States have the right to consent to the reprocessing of fuel exported from the United States. Our present agreements for cooperation with EURATOM do not contain such a right. To avoid disrupting cooperation with EURATOM, a proviso was included in the law to enable continued cooperation until March 10, 1980, if EURATOM agreed to negotiations concerning our cooperation agreement, which it did.

The Honorable  
Thomas P. O'Neill, Jr.,  
Speaker of the House of Representatives.

The law provides that nuclear cooperation with EURATOM can be extended on an annual basis after March 10, 1980, upon determination by the President that failure to cooperate would seriously prejudice the achievement of United States non-proliferation objectives or otherwise jeopardize the common defense and security and after notification to the Congress. President Carter made such a determination four years ago and signed Executive Order 12193, permitting continued nuclear cooperation with EURATOM until March 10, 1981. I made such determinations in 1981, 1982, 1983 and 1984 and signed Executive Orders 12295, 12351, 12409 and 12463, permitting continued nuclear cooperation through March 10, 1985. ✓

In addition to numerous informal contacts, the United States has engaged in six rounds of talks with EURATOM regarding the renegotiation of the U.S.-EURATOM agreements for cooperation. These were conducted in November 1978, September 1979, April 1980, January 1982, November 1983 and March 1984. The European Community is now considering U.S. proposals relating to our cooperation agreements, and further progress in the talks is anticipated this year.

I believe that it is essential that cooperation between the United States and the Community continue and, likewise, that we work closely with our Allies to counter the threat of nuclear explosives proliferation. A disruption of nuclear cooperation would not only eliminate any chance of progress in our talks with EURATOM related to our agreements, it would also cause serious problems in our overall relationships. Accordingly, I have determined that failure to continue peaceful nuclear cooperation with EURATOM would be seriously prejudicial to the achievement of United States non-proliferation objectives and would jeopardize the common defense and security of the United States. I intend to sign an Executive Order to extend the waiver of the application of the relevant export criterion of the Nuclear Non-Proliferation Act for an additional twelve months from March 10, 1985.

Sincerely,

Ronald Reagan

Proposed Press Release on EURATOM Executive Order

The President today signed an Executive Order extending to March 10, 1986, the authority for the United States to continue peaceful nuclear cooperation with the European Community. Since U.S. agreements with the Community do not contain one of the provisions called for in amendments to the Atomic Energy Act made by the 1978 Nuclear Non-Proliferation Act, these amendments authorized the President to continue peaceful nuclear cooperation on an annual basis by Executive Order. The United States is continuing discussions with EURATOM regarding renegotiation of these agreements.

As required by law, the President has determined that failure to continue peaceful nuclear cooperation with EURATOM would be seriously prejudicial to the achievement of United States non-proliferation objectives and would jeopardize the common defense and security of the United States. He has notified the Congress of this determination.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

February 28, 1986

EXECUTIVE ORDER

- - - - -

NUCLEAR COOPERATION WITH EURATOM

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 126a(2) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2155(a)(2)), and having determined that, upon the expiration of the period specified in the first proviso to Section 126a(2) of such Act and extended by Executive Orders No. 12193, 12295, 12351, 12409, 12463, and 12506, failure to continue peaceful nuclear cooperation with the European Atomic Energy Community would be seriously prejudicial to the achievement of the United States non-proliferation objectives and would otherwise jeopardize the common defense and security of the United States, and having notified the Congress of this determination, I hereby extend the duration of that period to March 10, 1987.

RONALD REAGAN

THE WHITE HOUSE,  
February 28, 1986.

# # # # #



THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

February 28, 1986

TEXT OF A LETTER FROM THE  
PRESIDENT TO THE SPEAKER OF THE  
HOUSE OF REPRESENTATIVES AND THE  
PRESIDENT OF THE SENATE

February 28, 1986

Dear Mr. Speaker:

(Dear Mr. President:)

The United States has been engaged in nuclear cooperation with the European Community for many years. This cooperation was initiated under agreements concluded over two decades ago between the United States and the European Atomic Energy Community (EURATOM) which extend until December 31, 1995. Since the inception of this cooperation, the Community has adhered to all its obligations under those agreements.

The Nuclear Non-Proliferation Act of 1978 amended the Atomic Energy Act to establish new nuclear export criteria, including a requirement that the United States have a right to consent to the reprocessing of fuel exported from the United States. Our present agreements for cooperation with EURATOM do not contain such a right. To avoid disrupting cooperation with EURATOM, a proviso was included in the law to enable continued cooperation until March 10, 1980, if EURATOM agreed to negotiations concerning our cooperation agreements, which it did.

The law also provides that nuclear cooperation with EURATOM can be extended on an annual basis after March 10, 1980, upon determination by the President that failure to cooperate would prejudice seriously the achievement of United States non-proliferation objectives or otherwise jeopardize the common defense and security, and after notification to the Congress. President Carter made such a determination six years ago and signed Executive Order 12193, permitting continued nuclear cooperation with EURATOM until March 10, 1981. Subsequent determinations have permitted continued nuclear cooperation through March 10, 1986.

In addition to numerous informal contacts, the United States has engaged in nine rounds of talks with EURATOM regarding the renegotiation of the U.S.-EURATOM agreements for cooperation. These were conducted in November 1978, September 1979, April 1980, January 1982, November 1983, March 1984 and May, September and November 1985. The European Community is now considering U.S. proposals relating to our cooperation agreements, and further progress in the talks is anticipated this year.

I believe that it is essential that cooperation between the United States and the Community continue and, likewise, that we work closely with our allies to counter the threat of

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nuclear explosives proliferation. A disruption of nuclear cooperation would not only eliminate any chance of progress in our talks with EURATOM related to our agreements, it would also cause serious problems in our overall relationships. Accordingly, I have determined that failure to continue peaceful nuclear cooperation with EURATOM would be seriously prejudicial to the achievement of United States non-proliferation objectives and would jeopardize the common defense and security of the United States. I intend to sign an Executive Order to extend the waiver of the application of the relevant export criterion of the Nuclear Non-Proliferation Act for an additional twelve months from March 10, 1986.

Sincerely,

RONALD REAGAN

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