

Administration of Donald J. Trump, 2018

Message to the Congress Transmitting a Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Peaceful Uses of Nuclear Energy

May 7, 2018

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to subsections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the "Act"), the text of an Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation in Peaceful Uses of Nuclear Energy (the "Agreement"). I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. In accordance with section 123 of the Act, a classified annex to the NPAS, prepared by the Acting Secretary of State, in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately. A joint memorandum submitted to me by the Acting Secretary of State and the Secretary of Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed. An addendum to the NPAS containing a comprehensive analysis of the export control system of the United Kingdom with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A(w) of the National Security Act of 1947 (50 U.S.C. 3024(w)), is being submitted separately by the Director of National Intelligence. Although not required by the Act, I am also transmitting an analysis and a determination and judgment from the Secretary of Energy concerning the advance, long-term approvals contained in the proposed Agreement.

The Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The Agreement contains all of the provisions required by subsection 123 a. of the Act. It provides a comprehensive framework for peaceful nuclear cooperation with the United Kingdom based on a mutual commitment to nuclear nonproliferation. It would permit the transfer of material, equipment (including reactors), components, sensitive nuclear facilities, major critical components, and information for nuclear research and nuclear power production. It also would allow for the transfer of sensitive nuclear technology if the parties later agree on conditions in writing.

The Agreement has a term of 30 years, although it can be terminated by either party on one year's advance written notice. In the event of termination or expiration of the Agreement, key nonproliferation conditions and controls will continue in effect as long as any material, equipment, component, sensitive nuclear facility, or major critical component subject to the Agreement remains in the territory or under the jurisdiction or control of either party, or until such time as the parties agree in writing that such nuclear material or non-nuclear material is no longer usable for any nuclear activity relevant from the point of view of international safeguards or have been practically irrecoverable, or that such equipment, components, sensitive nuclear facilities, or major critical components is no longer usable for nuclear purposes.

As one of the five nuclear weapon states under the Treaty on the Non-Proliferation of Nuclear Weapons, including one of the Treaty's three Depositary States, and one of the five permanent members of the United Nations Security Council, the United Kingdom holds an important leadership role in the global nonproliferation regime and the larger international security architecture. The United Kingdom is a member of the four major multilateral export control regimes: the Nuclear Suppliers Group, the Australia Group, the Missile Technology Control Regime, and the Wassenaar Arrangement. In addition, the United Kingdom has provided financial, technical, and leadership support to key nonproliferation mechanisms such as the Global Threat Reduction Program, the Global Initiative to Combat Nuclear Terrorism, the Elimination of Weapons-Grade Plutonium Production Program, the International Atomic Energy Agency (IAEA) Technical Cooperation Program, the IAEA Department of Safeguards, the G7 Global Partnership against the Spread of Weapons of Mass Destruction, and the Proliferation Security Initiative. A more detailed discussion of the United Kingdom's civil nuclear activities and its nonproliferation policies and practices is in the NPAS and its classified annex.

I have considered the views and recommendations of the interested departments and agencies in reviewing the Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both subsections 123 b. and 123 d. of the Act. My Administration is prepared to begin immediately consultations with the Senate Foreign Relations Committee and the House Foreign Affairs Committee, as provided in subsection 123 b. Upon completion of the 30 days of continuous session review provided for in subsection 123 b., the 60 days of continuous session review provided for in subsection 123 d. shall commence.

DONALD J. TRUMP

The White House,
May 7, 2018.

Categories: Communications to Congress : United Kingdom, nuclear energy cooperation with U.S., message transmitting agreement.

Subjects: Arms and munitions : Nuclear weapons and material :: Nonproliferation efforts; United Kingdom : Nuclear energy cooperation with U.S.

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