



Department of Energy
National Nuclear Security Administration
Washington, DC 20585



'AUG 16 2006

MEMORANDUM FOR DISTRIBUTION

FROM: William J. Desmond
Associate Administrator
for Defense Nuclear Security

SUBJECT: US/UK Memorandum of Understanding between
National Nuclear Security Administration's (NNSA)
Associate Administrator for Defense Nuclear Security
(AADNS) and UK's Ministry of Defense's (MOD),
Director General, Security and Safety

Attached please find subject memorandum. This attachment serves as the basis for interactions, relative to sharing best practices, between the NNSA and MOD Federal and contractor organizations responsible for nuclear weapons and special nuclear material security. These sharing activities will take place as described in paragraph 2, d, 1) – 4) (Note, attachment 1 (Path Forward) to the MOU referred to in Paragraph 2, d, 2) is in draft form and will be forwarded to you after US/UK review in December 2006).

As many of you know, a number of these activities have already taken place at both Headquarters and your facilities over the last year and a half. Additional interactions are currently scheduled through December. While the Office of Defense Nuclear Security has a significant role to play in these visits, in order for the program to mature and be of the most benefit, it is my desire to have Sites initiate activities, coordinate them with the Office of Program Requirements (NA-72), host the interactions, and prepare necessary reports as required by the Department of Defense and Department of Energy.

I appreciate your support of this very important interaction and its various activities. I am soliciting your feedback relative to further opportunities to share best practices with our colleagues in the UK. Please contact my points of contact, Kevin Leifheit, NA-72, (202) 586-1487, Kevin.Leifheit@nnsa.doe.gov and Bill Gillison, LANL, (505) 665-6966, gillison@lanl.gov, as needed.

Attachment

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From: Robert Rooks
Director General Security & Safety



MINISTRY OF DEFENCE
Zone 6C, Main Building,
Whitehall, London SW1A 2HB
Telephone (Direct Dialling) 020 7218 0462
(Switchboard) 020 7218 9000
Fax: 020 7218 6825
robert.rooks889@mod.uk
GSI: robert.rooks889@defence.gsi.gov.uk

William Desmond
Associate Administrator for Defense Nuclear Security
Department of Energy
National Nuclear Security Administration
Washington
DC 20585

D/DefSy/02/08/10

23 May 2006

Dear Mr Desmond

I have great pleasure in returning the Memorandum of Understanding to you having been duly signed by myself. The MOU is an important first step in our developing security relationship and begins what I am sure will be a beneficial exchange of information and best practice between our respective organisations.

I know my staff will be working closely with yours in taking matters forward including the aim of establishing a new Safeguards and Security JOWOG.

Yours sincerely
Robert Rooks

Robert Rooks
Director General Security & Safety



Department of Energy
National Nuclear Security Administration
Washington, DC 20585



Memorandum of Understanding covering the Terms of Reference (TOR) Governing the Relationship between the US Department of Energy (DOE) National Nuclear Security Administration (NNSA) Associate Administrator for Defense Nuclear Security (DNS) and the UK Ministry of Defence (UK MOD) Director General Security and Safety (DGS&S) (hereinafter referred to as "the Participants").

References:

- A. 1958 US/UK Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.
 - B. D/ACSA (N)/19/2/3, dated September 1996.
 - C. Department of Defense Directive 5030.14, dated July 24, 1981, subject: Disclosure of Atomic Information to Foreign Government and Regional Defense Organizations.
 - D. Joint Working Group (JOWOG) and Exchange of Information by Visit and Report (EIVR) Handbook-5 (JAIEG-5), dated October 2005.
 - E. Atomic Weapons Establishment (AWE) and Los Alamos National Laboratory (LANL) Visit Report, dated October 7, 2004.
 - F. NA-70/AWE Meeting August 18, 2005
1. References A - D established the arrangements under which the US and UK are authorized to interact and exchange information of value to both countries. Reference D also established EIVR 49 as an administrative instrument to promote a controlled oral/visual exchange of atomic information under the provisions of Reference A. References E and F documented/determined that both the NNSA and the UK MOD are committed to maintaining the relationship developed during referenced meetings and would establish a Terms of Reference document to guide the continuance and expansion of the relationship between the two security organizations.
 2. This Memorandum applies to NNSA's DNS and site security organizations (the site security organizations are the Federal oversight and contractor operated security organizations) of the US nuclear weapons complex, UKMOD and AWE plc (the contractor operating the UK Atomic Weapons Establishment (AWE) sites). It establishes the framework for the actions discussed in References E and F. The TOR will be reviewed annually to assure currency but will not otherwise require significant administration. Further cooperation will

be detailed in attachments to this Memorandum. The following subparagraphs detail the general processes that will be followed, but are not exhaustive:

- a. **Administration:** The Participants will manage all visit and exchange activities at their respective Headquarters and site locations as applicable. Examples of activities include: protocol, meeting scheduling and arrangements, various approvals, funding, itineraries, office calls, tours, transmittal and receipt of classified information, and other visit planning.
- b. **Travel and Lodging Costs:** The Participants will follow their own applicable travel regulations and will be reimbursed as authorized by those regulations.
- c. **Clearances and Classified Information:** To the maximum extent possible, all US and UK personnel involved in the relationship will possess a US DOE "Q" or equivalent UK MOD clearance. While there will normally not be a need to discuss Atomic Information (Restricted Data), both organizations will be prepared to do so being mindful of the principle of "Need to Know" and their own country's reporting requirements. The Participants will receive, store, prepare for mailing/shipment and mail/ship classified materials at HQ/Site level as determined with their counterparts to support the conduct of visits and meetings. All classified information or material exchanged under the provisions of this Memorandum will be protected in accordance with the UK/US Security Agreement dated 14 April 1961, as amended, and including the Security Implementing Arrangement dated 27 January 2003 thereto. Classified information or material will be transferred only through Government-to-Government channels or through channels approved by the Designated Security Authorities of the Participants. Each Participant will take all lawful steps available to it to keep information or material exchanged in confidence under this Memorandum free from disclosure under any legislative provision, unless the other Participant consents to such disclosure.
- d. **Meetings and Visits:** In furtherance of references E and F, DNS and UKMOD will:
 - 1) Meet annually, alternating between the Participants offices and sites, unless otherwise mutually determined by the Participants.

- 2) Support, subject to sufficient justification, site visits by both Participants' contractor security organizations, once per annum to each country unless otherwise agreed, for the purpose of orientation briefings, site/facility tours, participation in computer simulation and training demonstrations, discussions/meetings of mutual interest, and observation of command post exercises, force-on-force exercises, limited scope performance tests etc. (See Attachment 1)
 - 3) Subject to the Participants' specific approval, both contractor security organizations may exchange staff members for familiarization purposes.
 - 4) Subject to the Participants' specific approval, both contractor security organizations may exchange members to conduct joint informal assessments for mutual benefit.
- e. **Legal Notes:** Each Participant will waive any claims that it may have against the other Participant. This Memorandum in no way restricts either of the parties from participating in any activity with other public or private agencies, organizations, or individuals. This Memorandum is neither a fiscal nor a funds obligation document. Nothing in this Memorandum authorizes or is intended to obligate the parties to expend, exchange, or reimburse funds, services, or supplies, or transfer or receive anything of value.

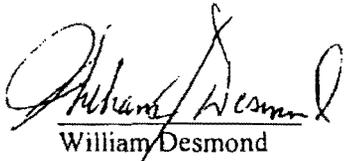
This Memorandum is strictly for internal management purposes for each of the parties. It is not legally enforceable and shall not be construed to create any legal obligation on the part of either party.

This Memorandum shall not be construed to provide a private right or cause of action for or by any person or entity.

- f. **Reports:** Reference D governs reporting requirements for Los Alamos National Laboratory (LANL). Reference B governs reporting requirements for AWE. Subsequent to each meeting or exchange, a joint report will be prepared and signed by senior personnel representing each Participant to document the activities and decisions taken for the benefit of the security organizations.

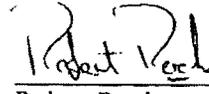
3. Any dispute regarding the interpretation or application of this Memorandum or any attachments will be resolved by negotiation between the Participants and will not be referred to any national or international tribunal for settlement.
4. This Memorandum and its attachments may be amended, in writing, with the mutual consent of the Participants.
5. This Memorandum will come into effect on the date of last signature and will remain in effect for 10 years unless terminated by mutual consent or by one Participant on giving six months' prior notice in writing to the other.

Signed this date:



William Desmond
Associate Administrator
for Defense Nuclear Security

3/5/2006
Date



Robert Rooks
Director General
Security and Safety

23 May 2006
Date

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