

EUROPEAN ATOMIC ENERGY COMMUNITY
THE COMMISSION

Brussels, May 27, 1964

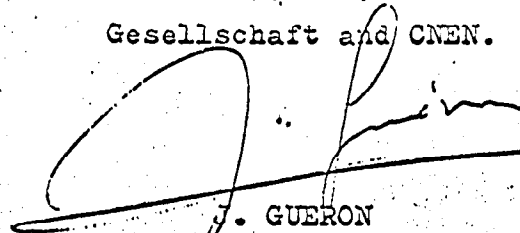
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Dear Mr. Erlewine,

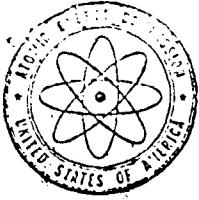
Your letter dated May 27, 1964, setting forth the negotiated terms of the information exchange between the United States Atomic Energy Commission (USAEC) and the European Atomic Energy Community (Euratom), the Commissariat à l'Energie Atomique (CEA), the Gesellschaft für Kernforschung (Gesellschaft), and the Comitato Nazionale per l'Energia Nucleare (CNEN), has been received.

I am pleased to inform you that the Community, acting on behalf of itself, CEA, Gesellschaft, and CNEN concurs in the terms of the exchange arrangement as set forth in your referenced letter and its Annexes, in the English, Dutch, French, German and Italian languages, each language being equally authentic, and considers the arrangement to be in effect as of the date of this letter.

For the Commission
acting on behalf of the
Community, CEA,
Gesellschaft and CNEN.


J. GUERON

Mr. John ERLEWINE
Senior AEC Representative and
Deputy for Euratom Affairs,
United States Mission to
the European Communities
23, av. des Arts
Brussels



BRUSSELS OFFICE
U.S. ATOMIC ENERGY COMMISSION
U.S. MISSION TO THE EUROPEAN COMMUNITIES
23, AVENUE DES ARTS
BRUSSELS, BELGIUM

May 27, 1964

Dr. Jules Gueron
Director-General, Research and Training
European Atomic Energy Community
51-53, rue Belliard
Brussels, Belgium

Dear Dr. Gueron:

As is well known, the United States Atomic Energy Commission (USAEC) carries out in the United States an important research and development program in the field of fast reactors and the European Atomic Energy Community (the Community), within the framework of its research program, carries out a similar effort, mostly concentrated in the associations with the Commissariat à l'Energie Atomique (CEA), the Gesellschaft für Kernforschung m.b.H (Gesellschaft), and the Comitato Nazionale per l'Energia Nucleare (CNEN), respectively. It, therefore, is in the interest of the USAEC on the one hand and of the Community, CEA, Gesellschaft and CNEN on the other hand to exchange information resulting from the implementation of their respective programs in order to ensure the greatest possible efficiency of their activities.

Article III (b) of the Additional Agreement of June 11, 1960, between the United States and the Community provides that the parties will exchange non-classified information with regard to the applications of atomic energy for peaceful purposes.

By letters of February 6 and March 12, 1963, the USAEC and the Community, acting on its own behalf, and on behalf of the CEA, Gesellschaft, and CNEN, have expressed their intention to institute a comprehensive exchange of information concerning the results of their respective programs in the field of fast reactors.

Following the discussions that have been held with the objective of defining the terms of the proposed exchange, the USAEC is ready to enter with the Community, CEA, Gesellschaft and CNEN, into a comprehensive exchange of information along the following lines:

1. In order to assure the best implementation of this arrangement between the USAEC and the above-mentioned European organizations, CEA, Gesellschaft and CNEN have authorized the Commission of the Community to represent them for the implementation of the arrangement. Consequently, the term "Euratom" as used in this letter or its annexes (or the term "Party" when used to refer to Euratom) refers to the Commission acting on behalf of the Community and on behalf of CEA, Gesellschaft and CNEN in their capacity as associates of the Community.

2. The USAEC and Euratom will exchange information on all fast neutron reactor programs for civilian central power station application and applicable research and development activities undertaken by the USAEC or Euratom, and such programs in this field in which the USAEC or Euratom is now or will be participating during the period stated in paragraph 3 of this letter. The exchange will include information as outlined in Annex I of this letter. These programs and activities would include, but not be limited to, the areas of technology and project operations described in Annex II of this letter, which also lists examples of facilities expected to be engaged in such area. The exchange will be pursuant to the procedures in Annex III of this letter.

3. a) The exchange arrangement set forth in this letter will remain in force for a period of ten (10) years from its effective date.
- b) It is recognized that the duration of the agreements executed between the Community and CEA, Gesellschaft and CNEN respectively, as part of the second five year program of the Community does not extend beyond 1967.

It is also recognized that the existing arrangements of the USAEC and Euratom with their respective contractors that will initially participate in this exchange are for varying terms which are shorter than that of this exchange. Continuance or renewal of any of these existing agreements or arrangements, of course, remains in the discretion of the USAEC and the Community respectively and the Associate or contractor so involved. The expiration or termination of any such agreement or arrangement shall, unless otherwise agreed, automatically result in the Associate or contractor involved being dropped as a participant under this exchange.

c) In the event, however, that either Party does not initiate construction of a fast neutron prototype ^{1/} reactor which falls within this exchange within a period of three (3) years from the date the other Party initiates construction of such a prototype, the Parties shall consult to determine whether modification of the exchange is appropriate, and, if mutual agreement cannot be reached on such modification, the exchange may be terminated by either Party upon written notice to the other Party. In case important sectors of research and development as now envisaged would undergo substantial changes, the Parties will consult in order to modify the arrangement if necessary.

d) In anticipation of this exchange providing mutually beneficial information to the Parties during the duration, the USAEC and Euratom intend to examine at an appropriate time, and at the latest six months before expiration of this arrangement, the continuation of cooperation in the area beyond the present date of expiration.

4. A Committee composed of representatives of the USAEC and Euratom will ensure the proper implementation of this exchange. This Committee will meet when necessary and at least twice a year. It will establish its own internal rules.

5. The inventions resulting from the implementation of the programs coming within the scope of this exchange will be subject to the patent arrangements provided for in Annex IV to this letter.

^{1/} A prototype reactor plant, for the purpose of the present arrangement, means a nuclear power plant designed, constructed and operated principally for the purpose of determining the economic and technical feasibility of extrapolating to a commercial nuclear power plant of the same type. Such reactor should have a substantial electrical generating capacity (100 MWe or more, unless otherwise agreed). Under this definition, for the purposes of the present arrangement, the EBR II and Fermi reactors as well as the Rapsodie reactor presently being built at Cadarache would not be considered prototypes of commercial fast neutron reactors.

Upon receipt by the USAEC of a letter from Euratom stating its concurrence in the terms of the exchange arrangement as set forth in this letter and its Annexes, in the English, Dutch, French, German and Italian languages, each language being equally authentic, the exchange arrangement shall be in effect as of the date of said letter.

For the USAEC,

/s/ John A. Erlwine

John A. Erlwine
Senior AEC Representative

4 Enclosures:

Annex I
Annex II
Annex III
Annex IV