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ATOMIC ENERGY COMMISSION - DEPARTMENT OF DEFENSE

MEMORANDUM OF UNDERSTANDING FOR THE  
TRANSFER OF ATOMIC WEAPONS



4 May 1956

(This Memorandum of Understanding becomes effective on the day it has been signed by both parties.)

For the Atomic Energy Commission

For the Department of Defense

/s/ R. W. Cook  
Acting General Manager, AEC

/s/ C. E. Wilson  
MAY 4 1956

Authenticated April 25, 1956  
U. S. Atomic Energy Commission  
By: Alfred D. Starbird -  
/s/ C. L. O'Bryan, Jr.  
Document No. LXI-3868

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In consonance with the Presidential directive of 4 April 1956 to the Secretary of Defense and Chairman, AEC, regarding the automatic release and transfer of AEC atomic weapons to the DoD in case of a Defense Emergency, this memorandum records a mutual understanding on the subject.

1. The term "Defense Emergency" includes any of the following conditions, under which release and transfer of custody is automatic:
  - a. A major attack by a member of the Sino-Soviet Bloc is made upon United States forces overseas, or on Allied forces in any theater, and is confirmed either by the commander of a command established by the Joint Chiefs of Staff, or by a higher authority.
  - b. An overt attack of any type is made upon the United States and is confirmed either by the commander of a command established by the Joint Chiefs of Staff, or by a higher authority.
  - c. A condition of "Air Defense Readiness" or "Air Defense Emergency" is declared by CINCONAD or higher authority, or "Air Defense Warning YELLOW" or "Warning RED" is issued or confirmed by CINCONAD or higher authority.
2. The term "finished atomic weapons" is defined as all atomic weapons and components (except those which bear the AEC red color availability tag) stored at National Stockpile Sites, Operational Storage Sites, and Department of Defense dispersed storage locations, and includes those weapons and components which are subsequently removed from a red category following the initial automatic release and transfer. Those weapons and components in AEC production facilities and pipelines will be made available to the DoD as expeditiously as possible. *where long*
3. Upon notification in writing by certificate signed by the appropriate local commander or his designated representatives in the form attached as Enclosure 1, including the appropriate authenticating code word, that a Defense Emergency has been declared by one of the commanders of commands established by the JCS as provided in paragraph 6 below, or declared by a higher authority, each AEC custodian will immediately release all finished atomic weapons in his custody to the local



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military commander, or his designated representatives. From the moment of release, custody will rest with the DoD.

4. The DoD considers that use of code words by CINCONAD in transmitting information of declaration of Defense Emergency would jeopardize the efficient functioning of established procedures. Upon notification in writing by certificate in the form attached as Enclosure 2 signed by the appropriate local commander or his designated representatives that CINCONAD has established a condition of Air Defense Readiness, Air Defense Emergency, or established or confirmed an Air Warning Yellow, or Air Warning Red, the AEC custodian will immediately release all finished atomic weapons in his custody to the local military commander, without requiring any additional authenticating code word. From the moment of release custody will rest with the DoD. The authority granted to CINCONAD for Air Defense declarations is a special case included in directives approved by the President, and CINCONAD alert declarations are authentic notifications.
5. The authenticating code word which accompanies any notification of a Defense Emergency declared in paragraph 3 above will be made available only to commanders of commands established by the JCS and to a limited number of their deputies and key staff officers, to higher authorities, and to AEC custodians at locations where AEC weapons are stored. The code word, determined jointly by the AEC and the DoD, will be disseminated to the custodians by the AEC, and the designated military commanders and higher authorities by DoD.



6. In addition to higher authorities, the following commanders (established by the Joint Chiefs of Staff) are presently authorized to declare a Defense Emergency, and will hold the code word in accordance with paragraph 5 above:

- Commander in Chief, Alaska
- Commander in Chief, Atlantic
- Commander in Chief, U.S. European Command
- Commander in Chief, Far East
- Commander in Chief, Pacific
- Commander in Chief, U.S. Naval Forces, Eastern Atlantic and Mediterranean
- Commander in Chief, Strategic Air Command

*16 Jun 57*  
*Col Cronson advises JCS have now directed these commanders to declare Defense Emergency when conditions in para 1 exist (instead of having system permissive). Also they have provided for automatic notice to the command in the event of release emergency by these commanders.*

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As additional commanders (of commands established by the Joint Chiefs of Staff) are authorized to declare a Defense Emergency, the DoD will so notify the AEC.

7. An immediate report that transfer action has been initiated will be made to the President and to the Chairman, Atomic Energy Commission.
8. Weapons transferred to the custody of the Department of Defense upon the declaration of a defense emergency will be promptly returned to the custody of the Atomic Energy Commission upon the termination of the defense emergency, as determined by appropriate commanders listed above or higher authority.
9. The date for implementation is 1 July 1956.



Enclosures:

1. Certificate - pg. 5 (Secret)
2. Certificate - pg. 6 (Secret)

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CERTIFICATE



I certify that Defense Emergency Conditions have been  
declared by \_\_\_\_\_ which require the transfer  
of custody of all finished atomic weapons to the local military  
commander. The authenticating code word is \_\_\_\_\_.

(This Certificate becomes TOP SECRET when filled in and  
signed by the appropriate local military commander or his  
designated representatives.)

Enclosure 1.

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CERTIFICATE

I certify that a condition of "Air Defense Readiness,"  
"Air Defense Emergency," "Air Defense Warning YELLOW,"  
or "Air Defense Warning RED" has been declared by  
CINCONAD which requires the transfer of custody of all  
finished atomic weapons to the local military commander.



(This Certificate becomes TOP SECRET when signed and  
rendered by the appropriate local military commander or  
his designated representatives.)

Enclosure 2.

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