

Technical Arrangements
for the Exchange of Classified Information
Between the United States Nuclear Regulatory Commission
and the Secretary of State for Trade and Industry
of Great Britain and Northern Ireland

September 16, 2003

**Technical Arrangements for the Exchange of Classified Information Between the
United States Nuclear Regulatory Commission and the Secretary of State for Trade
and Industry of Great Britain and Northern Ireland**

WHEREAS, the United States Nuclear Regulatory Commission (the NRC) and the Secretary of State for Trade and Industry of Great Britain and Northern Ireland (the SofS) have a mutual interest in security and safety for the peaceful uses of nuclear energy and in the exchange of experience on such matters, and have a common objective of improving safety and security of nuclear facilities and radioactive materials and of preventing harm to the public, the environment, and the national security;

WHEREAS, the NRC and the Health and Safety Executive of the United Kingdom (the HSE) are already engaged in general co-operation in these matters under an Arrangement for the Exchange of Technical Information dated September 18th, 1996, which was extended for an additional five-year period through an Understanding between the the NRC and HSE signed on September 16th, 2002, and whereas the NRC and the HSE intend to continue such cooperation under that extension and future arrangements;

WHEREAS the United States and the United Kingdom entered into the US/UK General Security Agreement (the General Security Agreement) by an exchange of letters dated April 14th, 1961 amended by further exchanges dated July 5th, 1983 and December 19th, 1983 which set out general security procedures, including patents provisions, in respect of the safeguarding of classified information exchanged between the two governments;

WHEREAS the NRC and the SofS wish, under the umbrella of the General Security Agreement, to exchange information relating to the safety and security of nuclear facilities and radioactive materials used for peaceful purposes, and threats to these facilities and these materials, and whereas the SofS will participate in such exchanges either directly or through the HSE as the SofS's agent ;

WHEREAS the General Security Agreement provides that details regarding channels of communication and the application of the principles set out in the General Security Agreement will be the subject of separate technical arrangements between appropriate agencies of the Governments of the United States and the United Kingdom;

The NRC and the SofS (the Agencies) hereby declare that the exchange of information in respect of the aforesaid matters shall be subject to the following technical arrangements between NRC and the SofS:

1. Only information relating to the safety and security of nuclear facilities and radioactive materials used for peaceful purposes, and threats to these facilities and this material, will be exchanged under this Arrangement.
2. For the purposes of this Arrangement, "information" is understood in its broadest sense to include, among other things, any document, writing, sketch, photograph, plan, model, specification, design, or prototype, whether communicated by oral, visual, or written means or by transfer of equipment or materials.
3. This Arrangement does not commit either Agency to disclose classified information to the other.
4. This Arrangement does not apply to nuclear energy information which the United States designates as Restricted Data or Formerly Restricted Data.
5. The representatives of each Agency authorized to receive classified information from the other will have a security clearance equal to or greater than the security classification of the information involved and will have the physical capacity to protect the classified information.
6. All requests for information and visits that would involve the disclosure of classified information will be sponsored by the requesting government.

7. For the exchange of classified information, the following procedural arrangements shall apply:

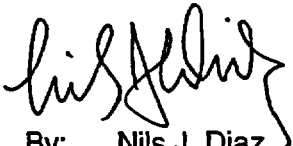
- a. Each Agency will designate government officials (who, in the case of designations by the SofS, may be officials of the HSE) who are authorised to:
 - (1) provide the security assurances,
 - (2) certify security clearances of individuals,
 - (3) submit requests for classified information, including visit requests,
 - (4) receive and give a receipt for classified documents at designated points of delivery and mailing addresses that conform with the security assurances.
- b. Each Agency will inform the other of the individuals designated pursuant to a., above, and furnish signature samples of the designated officials. Prompt notification will be given to the other Agency of the termination of any designations.
- c. Each Agency will designate individuals who are authorized to receive requests for classified information, including visit requests involving classified information. Only those designated individuals will be contacted by the requesting Agency.
- d. The original recipient will sign and return to the releasing Agency a written receipt for all classified information received.

- e. Classified documents, including notes taken by visitors, will be retained by the facility visited, but may be released upon the submission of a written request from the Agency represented by the visitor.
 - f. Each Agency will provide the other with the necessary administrative instructions, supplemental to those of this Arrangement, concerning submission of requests and receipt of responses.
8. Each Agency will report promptly and fully to the other any known or suspected compromise of classified information released to it, and the corrective action taken.
9. The Agencies will consult to guarantee strict implementation of the security provisions of this Arrangement. The Agencies will permit visits by security personnel at mutually convenient times to discuss procedures and capabilities to protect classified information.
10. This Arrangement may be modified by mutual agreement or terminated by either Agency subject to six (6) months' notice to the other Agency. In the case of such a notice being given, the classified information exchanged during the validity of this Arrangement will continue to be safeguarded in accordance with the General Security Agreement.

Signed, in duplicate, in Vienna on this 16th day of September 2003.


For the NRC:

For the SofS:




By: Nils J. Diaz

Title: Chairman



By: Mike K. O'Shea

Title: Director, Export Control and
Non Proliferation Security (XNP)

CERTIFIED A TRUE COPY
BY 
Office of the Secretary