



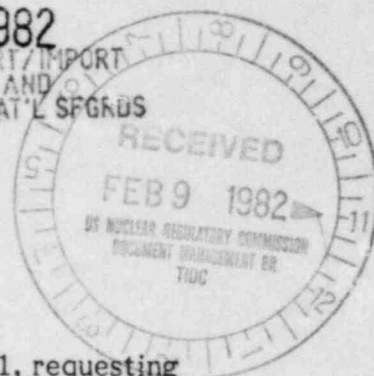
DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

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EXPORT/IMPORT
AND
INTERNATIONAL SECURITIES

Mr. James R. Shea
Director of International Programs
United States Nuclear Regulatory Commission
Room 6714 - MNBB
Bethesda, Maryland

Dear Mr. Shea:

I refer to the letter from your office dated December 7, 1981, requesting Executive Branch views as to whether issuance of an export license in accordance with the application hereinafter described meets the applicable criteria in the Atomic Energy Act, as amended by the Nuclear Non-Proliferation Act of 1978:

NRC No. XB001141 — Application by Headquarters, U.S. Army Armament Materiel Readiness Command for authorization to export to various countries dispersed tritium in amounts of from 500 to 20,000 curies, incorporated into sealed light sources and assembled in optical instruments for weapons systems. Small amounts of promethium-147 are also to be supplied for the same purpose, but these exports may be pursuant to general license provisions covering byproduct material having an atomic number of 3 to 83.

It is the opinion of the Executive Branch that the proposed exports may be made without being subject to the terms of an Agreement for Cooperation since byproduct material may be licensed under Sections 81 and 82 of the Atomic Energy Act without the prerequisite of a Section 123 Agreement. The Executive Branch has concluded that this export is consistent with the provisions of the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978. Further, it is the judgment of the Executive Branch that the byproduct material exports contemplated will not be inimical to the common defense and security of the United States; provided that only the export of tritium incorporated in luminous sources assembled into gun sights and other devices for weapons systems is authorized.

On the basis of the foregoing, the Executive Branch recommends that the license be issued.

Sincerely,

John P. Boright
Acting Deputy Assistant Secretary

"Copy to FDR and ACC 2-4-82."

Dennis, Peterson, Shea

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