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THE WHITE HOUSE
WASHINGTON
NOV 17 1995

MEMORANDUM FOR THE VICE PRESIDENT
 THE SECRETARY OF STATE
 THE SECRETARY OF THE TREASURY
 THE SECRETARY OF DEFENSE
 THE SECRETARY OF THE INTERIOR
 THE SECRETARY OF AGRICULTURE
 THE SECRETARY OF COMMERCE
 THE SECRETARY OF HEALTH AND HUMAN SERVICES
 THE SECRETARY OF TRANSPORTATION
 THE SECRETARY OF ENERGY
 DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
 ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION
 AGENCY
 UNITED STATES TRADE REPRESENTATIVE
 CHIEF OF STAFF TO THE PRESIDENT
 ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY
 AFFAIRS
 DIRECTOR OF CENTRAL INTELLIGENCE
 DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY
 POLICY
 CHAIRMAN OF THE COUNCIL ON ENVIRONMENTAL QUALITY
 DIRECTOR OF THE ARMS CONTROL AND DISARMAMENT
 AGENCY
 JOINT CHIEFS OF STAFF
 ADMINISTRATOR OF THE NATIONAL AND AERONAUTICS AND
 SPACE ADMINISTRATION
 CHAIRMAN OF THE NUCLEAR REGULATORY COMMISSION
 DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION

SUBJECT: Revision to NSC/PD-25, dated December 14, 1977, entitled Scientific or Technological Experiments with Possible Large-Scale Adverse Environmental Effects and Launch of Nuclear Systems into Space

As a result of an OATP-led interagency review updating the technical criteria for the launch of radioactive sources into space, the following changes are directed to NSC/PD-25, dated December 14, 1977, which is now unclassified. These changes, based upon the unanimous consent of the interagency review, modify the directive to reflect current international practice and standards.

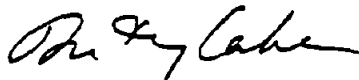
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Paragraph 9 of NSC/PD-5 is replaced by the paragraph below:

9. A separate procedure will be followed for launching nuclear systems. An environmental impact analysis or nuclear safety evaluation report, as appropriate, will be prepared. The President's approval is required for launches of spacecraft utilizing reactors and other devices with a potential for criticality and radioactive sources containing total quantities greater than 1,000 times the A_2 value listed in Table I of the International Atomic Energy Agency's Safety Series No. 6, Regulations for the Safe Transport of Radioactive Materials, 1985 Edition (as amended 1990). Launch of sources containing quantities greater than 0.1 percent of the A_2 value from this table will be forecasted quarterly to the Office of Science and Technology Policy (OSTP). This report is for information, and is not intended to introduce a new approval procedure. An Interagency Nuclear Safety Review Panel, which will report to the OSTP and consisting of members from the Department of Defense, Department of Energy, National Aeronautics and Space Administration and the Environmental Protection Agency, will evaluate the risks associated with missions requiring the President's approval and prepare a Nuclear Safety Evaluation Report. The Nuclear Regulatory Commission will participate as a technical advisor to the panel as appropriate. The head of the sponsoring agency will request the President's approval for the flight through the Office of Science and Technology Policy. The Director is authorized to render approval for such launchings, unless he considers it advisable to forward the matter to the President for a decision.

All other paragraphs of NSC/PD-25 (1977) remain unchanged and in force.



Anthony Lake
Assistant to the President
for National Security Affairs

The Honorable John H. Gibbons
Assistant to the President
for Science and Technology
Executive Office of the President
Washington, DC 20500

Dear Dr. Gibbons:

Recently, staff from the National Aeronautics and Space Administration and the Department of Energy have expressed their concern regarding the May 17, 1995 revision to Paragraph 9 of Presidential Directive NSC/PD-25. Their concern was that the term "ad hoc" was removed as a qualifier for the Interagency Nuclear Safety Review Panel, implying that we are now a standing committee, and also that the revised paragraph states explicitly that the Panel "will report to the OSTP." It is our understanding, based on past experience and recent conversations (e. g. during a meeting on December 12, 1994) with you, your predecessors, and your staff, that we are an independent panel and accountable directly to OSTP and not to the Agency(ies) requesting launch approval.

It is our understanding that OSTP may again revise Paragraph 9 and include the words "ad hoc" and strike the words "will report to the OSTP." We are concerned that this second revision, if it occurs, will send an entirely wrong signal and lead to confusion as to whom INSRP is accountable. The issue of INSRP accountability was raised in the 1980s for the Galileo and Ulysses missions and has continued into the Cassini safety reviews. We do not object to including the term "ad hoc".

We encourage you to give serious consideration to eliminating the clause "will report to the OSTP" and hope that we will be allowed to present our views to you on this issue in more detail before any action is taken.

Col. Burl E. Hickman, USAF
Department of Defense

Mr. David W. Pyatt, P.E.
Department of Energy

CAPT. G. Gerry Martin
Environmental Protection
Agency

Mr. John W. Lyver, IV, C.S.P
National Aeronautics and
Space Administration

Dr. Norman Lisenberg
Nuclear Regulatory Commission

cc: Jeff Hofgard, OSTP