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***If raised: Australia's intent to host US strategic/nuclear capability***

- Visits by nuclear capable assets from the United States to Australia have occurred for decades. Visits by US assets are conducted under our Status of Forces Agreement which provides a robust legal and policy framework for mutually-agreed activities and engagement.
  - Nuclear-capable platforms are not necessarily armed with nuclear weapons on deployment.
- US Force Posture presence is rotational, mutually agreed and consistent with Australia's sovereignty and our international obligations under the Treaty of Rarotonga.

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*If asked: How does Australia know if the United States platforms in Australia are nuclear-armed (United States SSNs and B-52 and B-2 bombers)?*

- Visits by United States strategic assets are consistent with our treaty obligations.
- Successive Australian Governments have respected the longstanding United States policy of neither confirming nor denying the presence of nuclear weapons on their platforms.
- Australia will continue to fully comply with our international obligations and the United States understands and respects our obligations regarding nuclear weapons.
  - The United States does not station nuclear weapons in Australia. Stationing of nuclear weapons in Australia is prohibited by the South Pacific Nuclear Free Zone Treaty (known as the Treaty of Rarotonga), to which Australia remains committed.
  - There is no impediment under the South Pacific Nuclear Free Zone Treaty or the Treaty on the Non-Proliferation of Nuclear Weapons to the visit of dual-capable foreign aircraft to Australia's airfields or transiting Australia's airspace.

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**How does Australia know if United States assets that rotate through Australia under the Force Posture Agreement are nuclear-armed [United States SSNs and B-52 and B-2 bombers]?**

- A nuclear-capable military platform is not necessarily armed with nuclear weapons.
- The United States does not station nuclear weapons in Australia. Stationing of nuclear weapons in Australia is prohibited by the Nuclear Non-Proliferation Treaty and the South Pacific Nuclear Free Zone Treaty, to which Australia remains committed. Visits by United States strategic assets are consistent with our obligations under these treaties.
- Neither of these treaties prohibit dual-capable foreign aircraft being present at Australia's airfields or transiting Australia's airspace.
- Successive Australian Governments have understood and respected the longstanding United States policy of neither confirming nor denying the presence of nuclear weapons in this context.
- Australia will continue to fully comply with our international obligations and the United States understands and respects Australia's international obligations regarding nuclear weapons.

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Supplementary Budget Estimates October 2023

Last updated: 03 October 2023

Key witnesses: Hugh Jeffrey; Bernard Philip.

**Supporting Information****Questions on Notice****2023-24 Budget Estimates: 30 - 31 May 2023**

- In QoN 81, AUKUS ports, Senator Jordon Steele-John (Greens, Western Australia) asked a series of questions regarding:
  - maintenance of future Australian nuclear-propelled submarines;
  - the alignment of United States B-52 Bombers rotating to Royal Australian Air Force Tindal and the Treaty of Rarotonga;
  - whether the Government would prevent nuclear-capable or armed B-52s to visit Royal Australian Air Force Tindal;
  - the transit and stationing of United States nuclear weapons in Australia;
  - United States declaratory policy on carriage of nuclear weapons; and
  - whether the government would only permit non-nuclear capable United States aircraft in Australia.

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Supplementary Budget Estimates October 2023

PDR No: SB23-000727

Last updated: 03 October 2023

United States

Key witnesses: Hugh Jeffrey; Bernard Philip.

|   |                               |
|---|-------------------------------|
| Strategy and Plans                        | Ph: s47E(d)                   |
| Guided Weapons and Explosive Ordnance     |                               |
| Capability Development Division           | <b>Date:</b> 24 August 2023   |
| <b>Consultation:</b>                      |                               |
| Alanna Mackay                             | Mob: s22                      |
| Assistant Secretary                       | Ph: s47E(d)                   |
| Strategic Policy and Guidance             | <b>Date:</b> 16 August 2023   |
| Strategic Policy Division                 |                               |
| <b>Consultation:</b>                      |                               |
| Kylie Wright                              | Mob: s22                      |
| Assistant Secretary                       | Ph: s47E(d)                   |
| Defence Industry                          | <b>Date:</b> 16 August 2023   |
| Defence Industry Policy Division          |                               |
| <b>Consultation:</b>                      |                               |
| Cameron Heath                             | Mob: s22                      |
| Assistant Secretary                       | Ph: s47E(d)                   |
| Intelligence Policy and Priorities Branch | <b>Date:</b> 16 August 2023   |
| Defence Intelligence Group                |                               |
| <b>Cleared by Deputy Secretary</b>        |                               |
| Hugh Jeffrey                              | <b>Date:</b> 1 September 2023 |
| Deputy Secretary                          |                               |
| Strategy, Policy, and Industry Group      |                               |

Questions on notice referred to within the brief:**2023-24 Budget Estimates****Senator Jordan Steele-John**

Question Number: 81

Date question was tabled: 14 July 2023

**Question**

Will the facilities at the AMC Henderson be used for maintenance work on the nuclear submarines, both the Virginia Class and the forthcoming SSN-AUKUS?

In the Rarotonga Treaty, stationing is defined as "emplantation, emplacement, transportation on land or inland waters, stockpiling, storage, installation and deployment. Does the government consider the basing of 6 B-52s at Tindal to amount to stationing?

Will the government confirm that the B-52s at Tindal will not be nuclear-armed nor nuclear-

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Supplementary Budget Estimates October 2023

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Key witnesses: Hugh Jeffrey; Bernard Philip.  
capable?

Will the government reject the transit of nuclear weapons in Australian airspace, territories and waters?

AUKUS will open Australian ports to routine deployments from American and UK nuclear capable submarines. The US Navy has a policy of 'nuclear ambiguity' and refuses to confirm or deny whether a vessel is carrying nuclear arms. Australians deserve to know whether we are hosting and facilitating nuclear weapons - will you require visiting vessels to openly declare their weapons status or will you fully cede Australian sovereignty and responsibility?

As a demonstration of Australia's commitment to reducing the threat of nuclear war, will the government commit that any B52 deployment on Australian soil will only permit non- nuclear capable aircraft?

### Answer

Defence and the Australian Submarine Agency are continuing to work through the maintenance arrangements in consultation with our AUKUS partners.

No. The United States does not station nuclear weapons in Australia. Stationing of nuclear weapons in Australia is prohibited by the Nuclear Non-Proliferation Treaty and the South Pacific Nuclear Free Zone Treaty, to which Australia remains committed. B-52 and B-2 bombers are not based at RAAF Base Tindal, but visit Australia on a rotational basis. Visits by United States strategic assets are consistent with our obligations under these treaties.

Australia will continue to fully comply with our international obligations and the United States understands and respects Australia's international obligations regarding nuclear weapons.

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## Media and Strategic Communication Summary

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### ***If asked – Will the United States station or deploy nuclear weapons in Australia?***

- No. The United States does not station nuclear weapons in Australia.
- Stationing of nuclear weapons in Australia is prohibited by the *South Pacific Nuclear Free Zone Treaty* (Treaty of Rarotonga), to which Australia is a state party.
- Australia will always uphold its obligations under the Treaty of Rarotonga.

### ***If asked – Do US activities under the Force Posture Agreement contravene Australia's treaty obligations with regard to nuclear weapons?***

- Australia is a long-standing party to the Non-proliferation Treaty and the Treaty of Rarotonga and remains committed to fulfilling those obligations.
  - Neither of these treaties prohibit the visit of foreign platforms to Australia's ports and airfields or transit of Australia's airspace.
- A military platform that is nuclear-capable is not necessarily armed with nuclear weapons.

## Media and Strategic Communication Summary

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- Successive Australian Governments have understood and respected the longstanding US policy of neither confirming nor denying the presence of nuclear weapons in this context.

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  - Neither of these treaties prohibit the visit of foreign platforms to Australia's ports and airfields or transit of Australia's airspace.
- A military platform that is nuclear-capable is not necessarily armed with nuclear weapons.
- Successive Australian Governments have understood and respected the longstanding US policy of neither confirming nor denying the presence of nuclear weapons in this context.

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| SP&I<br><br>(Bernard<br>Philip) | s22<br><br>• Armament status of UK and US<br>s22 | <ul style="list-style-type: none"><li>• Armament status of UK and US Submarines (6.2): Legislation team to cover Bill requirements (6.2). SP&amp;I to cover broader issues if needed. Note Secretary's statement from Senate Estimates on 15 February 2023:<br/><br/><i>Mr Moriarty : You'll recall Senator Steele-John asked a question about the B-52s visiting Australia and he asked about the presence of nuclear weapons I think more generally. It's clear that stationing of nuclear weapons in Australia is prohibited by the South Pacific Nuclear Free Zone Treaty, to which Australia is fully committed. There is no impediment under this treaty or the nuclear non-proliferation treaty to the visit of foreign aircraft to Australian airfields or transit of Australia's airspace, including in the context of our training and exercise programs and the Australian force posture cooperation with the United States. Australia's longstanding arrangements to support visits by US strategic assets are consistent with our obligations under the South Pacific Nuclear Free Zone Treaty. US bomber aircraft have been visiting Australia since the early 1980s and have conducted training in Australia since 2005. Successive Australian governments have understood and respected the longstanding US policy of neither confirming nor denying the presence of nuclear weapons on particular platforms. Australia will continue to fully comply with our international obligations, and the United States understands and respects Australia's international obligations with respect to nuclear weapons.</i><br/><br/>s22</li></ul> |
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**If asked: Do US aircraft (e.g. B-52 bombers) carry nuclear weapons while visiting Australia?  
[taken from Hansard 13 February 2023]:**

- Stationing of nuclear weapons in Australia is prohibited by the South Pacific Nuclear Free Zone Treaty, to which Australia is fully committed.
  - There is no impediment under this Treaty or the Nuclear Non-proliferation Treaty (NPT) to the visit of foreign aircraft to Australian airfields or transit of Australia's airspace, including in the context of our training and exercise programs and the Australian force posture cooperation with the United States.
- Australia's longstanding arrangements to support visits by US strategic assets are consistent with our obligations under the South Pacific Nuclear Free Zone Treaty.
  - US bomber aircraft have been visiting Australia since the early 1980s and have conducted training in Australia since 2005.
- Successive Australian governments have understood and respected the longstanding US policy of neither confirming nor denying the presence of nuclear weapons on particular platforms.
- Australia will continue to fully comply with our international obligations, and the United States understands and respects Australia's international obligations with respect to nuclear weapons.

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