

The Definition of Restricted Data. (1) A large body of "restricted data" under present law relates primarily to military utilization of atomic weapons. The responsibility for the control of such of this weapons information logically should rest with the Department of Defense rather than with the Commission. Many administrative difficulties that are produced by a dual system of security would be eliminated by the removal of this weapons information from the "restricted data" category and its subsequent protection by the Department of Defense in the same manner and under the same safeguards as other military secrets.

This method of handling weapons information is not possible under present law. "Restricted data" can be removed from the statutory "restricted data" category only by declassification, upon a determination by the Atomic Energy Commission that the publication of such data would not adversely affect the common defense and security. Declassification obviously is not the remedy. The remedy lies in reliance upon the standard security measures of the war, the Department of Defense. I recommend, therefore, that the statutory definition of "restricted data" be amended to exclude information concerning the utilization of atomic weapons, as distinguished from information on their theory, design and manufacture.

(2) In addition to information which falls wholly within the utilization category, there is information which concerns primarily the utilization of weapons but which pertains also to their design and manufacture. In order to avoid difficulties in this special case, I recommend legislation which also would authorize removal of such information from the "restricted data" category. This would be done only when the Commission and the Department of Defense jointly determine that it relates primarily to military utilization of atomic weapons and that it can be adequately protected as classified defense information under the Espionage Act and other applicable law.

(3) Consistent with these changes, I recommend that the Department of Defense join with the Atomic Energy Commission in any declassification of "restricted data" which relates primarily to military utilization of atomic weapons and which can be published without endangering the national security. Thus, the Department of Defense will have an appropriate voice in the protection and declassification of such "restricted data" and the responsibilities of the Commission will be clarified with respect to all other "restricted data".

#### DOMESTIC DEVELOPMENT OF ATOMIC ENERGY

What was only a hope and a distant goal in 1946 -- the beneficial use of atomic energy in human service -- can soon be a reality. Before our scientists and engineers hit rich possibilities in the harnessing of atomic power, the Federal Government can pioneer in its development. But, in this undertaking, the enterprise, initiative and competitive spirit of individuals and groups within our free country are needed to secure the greatest efficiency and progress at the least cost to the public.

Industry's interest in this field is already evident. In collaboration with the Atomic Energy Commission, a number of private corporations are now conducting studies, largely at their own expense, of the various reactor types which might be developed to produce economic power. There are indications that they would increase their efforts significantly if the way were open for private investment in such reactors. In meeting the law to permit such investment, care must be taken to encourage the development of this new industry in a manner as nearly normal as possible, with careful regulation to protect the national security and the public health and safety. It is essential that this program proceed and that this new industry will develop self-reliance and self-sufficiency.