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U.S. PRESENTS DISARMAMENT PLAN TO U.N.

A new disarmament program has been presented to the United Nations by the United States. The U.S. program for general disarmament for the first time endorses the specific goal of "general and complete disarmament", a goal previously endorsed by the Soviet Union, but specifies also a three stage plan for achieving it, with controls. The program calls for a first stage with reduction of force levels to 2.1 million men each for the U.S. and U.S.S.R. and "to appropriate levels not exceeding 2,100,000 each for all other militarily significant nations". In this phase also the program proposes the signing of a test ban agreement by all states, cessation of production of fissionable material for weapons, and the forbidding of the transfer of nuclear weapons to non-nuclear countries. It is also proposed that inspection to verify troop movements be initiated during this phase. In stage two, in addition to further reduction of arms a U.N. Peace Force is to be established, which by the end of stage three would be stronger than the "internal order" forces of any state. The plan also proposes that "States shall also agree upon further improvements and developments in rules of international conduct and in processes for peaceful settlement of disputes and differences." (NYTimes 9/26)

One notable characteristic of the new proposal is the apparent absence of any conditional dependence of one portion of the program on the others. Also, it differs from previous U.S. proposals in such details as cessation of nuclear weapons manufacture without conventional disarmament and reduction in numbers of nuclear delivery vehicles in the early stages. The program, while endorsing the ultimate goal of general disarmament, would still require the establishment of effective controls before any significant disarmament had taken place. The relative timing of these two facets has been the sticking point in the past, and the new U.S. proposal does not appear to provide an obvious solution to the problem.

RUSSIA THREATENS TO QUIT WORLD ATOMIC ENERGY GROUP

Russian opposition to the election of a Swedish scientist as Director General of the International Atomic Energy Agency (IAEA) may cause the Soviet Union to withdraw from the Agency. The election of Sigvard Eklund to the post occurred at the Agency's fifth general conference this month despite strong opposition from Communist and non-aligned countries. The chief Soviet delegate, Vasili Emelyanov, had vigorously opposed the election of Dr. Eklund on the grounds that he represented Western interests. Following Dr. Eklund's election on Oct. 3, Emelyanov threatened that the Soviet Union might pull out of the Agency in protest to what it called Western domination. The climax to Soviet denunciation of the United States and its allies came on the last day of the Agency's two-week conference when Emelyanov staged a personal walk-out in protest against Dr. Eklund's inauguration. Withdrawal of the Soviet Union from participation in the Agency might well mean the loss of the entire Soviet bloc, a move which would cripple the Agency (W. Post, 10/4-6). Whether or not the Soviet Union will take this step remains uncertain at this writing.

The IAEA conference had opened two weeks earlier in Vienna with delegates from 77 countries attending. In a special message to the conference, President Kennedy called upon the Agency to "assume a position of leadership in bringing the peaceful uses of atomic energy to the people of the world". His remarks to the conference were read by Dr. Glenn

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ARMS CONTROL AGENCY CREATED; QUASI-INDEPENDENT STATUS RETAINED

Security Provision Ameliorated To Permit Interim Clearances

In an adjournment rush conference, the House and Senate resolved differences on the location and authority of the new Arms Control and Disarmament Agency, permitting President Kennedy, on September 26, to sign the measure just prior to his United Nations address. The conferees agreed to place the new agency outside of the State Department, but subject to some control by the Secretary of State.

Shortly after enactment, Kennedy nominated William C. Foster to the \$22,500 post as Director. Foster has served the Government previously in the 1958 Surprise Attack Negotiations, as ECA Chairman under the Marshall Plan, Co-chairman of the Gaither Committee, and as Deputy Secretary of Defense. Adrian Fisher, former general counsel of AEC, legal advisor to State, and deputy to John J. McCloy, has been named as deputy to Foster. Both men, as well as the four assistant directors yet to be named, face Senate confirmation next spring. McCloy resigned as Special Disarmament Advisor to the President when the bill was enacted.

Perhaps the quickest summary of the key compromises in the bill is found in the Conference Committee Report:

On Quasi-Independence

"The House bill provided for the establishment of a United States Arms Control Agency under a Director with independent status in important respects but having a special and close relationship to the Secretary of State.

"The Senate amendment authorized the establishment of a United States Arms Control and Disarmament Agency for World Peace and Security to be under the direction of an Under Secretary of State under the supervision and direction of the Secretary of State.

"The committee of conference agreed to a compromise . . . defining the status of the Director as follows:

The Agency shall be headed by a Director, who shall serve as the principal adviser to the Secretary of State and the President on arms control and disarmament matters. In carrying out his duties under this Act the Director shall, under the direction of the Secretary of State, have primary responsibility within the Government for arms control and disarmament matters as defined in this Act.

In accepting this language, the managers on the part of the House believe that they have retained the essential aspects of the House bill that the Director of the Agency be assured of direct access to the President when necessary and that he have sufficient authority and independence to deal directly with other agencies, such as the Department of Defense and the Atomic Energy Commission, on matters not falling within the competence of the Department of State."

On Personnel Security

"The House bill and . . . the Senate amendment provided for security procedures applicable to all employees of the Agency. In the House bill the Director was given responsibility to establish the necessary security and loyalty requirements. The Federal Bureau of Investigation was made responsible for the conduct of full field background security and loyalty investigations of all the Agency's officers, employees, consultants, persons detailed from other Government agencies, members of its General Advisory Committee, advisory boards, contractors and subcontractors and their officers and employees, actual or prospective. It further provided that the FBI report would indicate if any investigation disclosed "that

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PATENTS PENDING — AGAIN

The possibility of a communications satellite system under private industry has raised again the "patent problem" associated with Government sponsored research. As reported in the New York Times (Oct. 3, special article by John Finney) Attorney General Robert F. Kennedy has asked the National Aeronautics and Space Council to draft Government policy in regard to patents arising from developmental work on communications satellites.

The resulting study, under the direction of Dr. Edward C. Walsh, the Council's Executive Secretary, has been triggered by the fact that there is no uniform policy in this area. Both the National Aeronautics and Space Administration and the Defense Department sponsor industry research and development work on communications satellites but maintain completely different policies in regard to the ownership and use of resulting patents. NASA specifies that the Government will have title to any patents resulting from research sponsored by it and that these patents can be made available to other companies. (The authority to waive this is allowed under certain conditions.) The D.O.D. policy has been to allow the contractor to own and use commercially any inventions developed under Government sponsorship but with the stipulation that the patents must be available to the Government royalty free.

The policy of Government ownership of these patents was established in 1946 with the organization of the Atomic Energy Commission and incorporated into the National Aeronautics and Space Act in 1958.

Apparently it is feared that the present conflicting regulations may lead to reluctance on the part of some industrial concerns to take on NASA's communication satellite work and instead turn to the Defense Department.

It is also felt that the policy drafted by the Council study may go beyond the communication satellite field and perhaps set precedent for the entire long-standing problem of whether the patents belong to the Government since it paid for the research or to the persons or companies that made them. The pros and cons here have been increasingly discussed and battered about since the last war as the Government became more and more a principal sponsor of scientific research.

Briefly the arguments for Government ownership are that the funds belong to the people; private ownership slows the spread of technological developments and breakthroughs and enhances the economic concentration of the larger companies since they receive most of the research monies and projects.

The arguments for private ownership are that Government control inhibits the incentive to invent and hampers the commercial development and use of the inventions and finally also raises the cost of research to the Government since the companies are reluctant to take it on.

HOUSE COMMITTEE OUTLINES CIVIL DEFENSE POLICY ROLES

In a singularly readable report entitled **NEW CIVIL DEFENSE PROGRAM** (dated Sept. 1961), the House Committee on Government Operations provides the answers to many of the questions that have recently been asked about civil defense. The report is based on hearings held on August 1-9, 1961 by the Military Operations Subcommittee headed by Rep. Chet Holifield. The stated purpose of the hearings was four-fold—

- (1) To understand more fully the new civil defense program promulgated by President Kennedy.
- (2) To update technical findings relating to civil defense.
- (3) To look forward at the shape of the civil defense program 5 years hence.
- (4) To take a backward look at what has been accomplished so that pitfalls and errors of the past may be avoided.

With the first two chapters of the report as historical background, the third chapter, entitled **Executive Order 10952**, brings things up to date by discussing the function of the Department of Defense as the principal administrator of civil defense, and the relationship between DOD and the Office of Emergency Planning. Seven civil defense functions are delegated to the Secretary of Defense in the President's order. These functions are to provide—

- (1) A fallout shelter program.
- (2) Chemical, biological and radiological warfare defense program.
- (3) Warning systems, both civil and military.
- (4) A communications program.
- (5) Post-attack emergency assistance to State and local govern-

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WASHINGTON OFFICE NOTES

Thanksgiving Meeting

The FAS Council will meet in Chicago on Friday and Saturday, November 24 and 25, during the Thanksgiving Meeting of the American Physical Society. Tentatively, the Council will meet Friday evening and Saturday morning. The Executive Committee will meet late Friday afternoon and through dinner. Details will be sent by mail to Council members and will be repeated in the November Newsletter.

Please mail suggested agenda items to the Washington office. Draft proposals for statements or action should be in the Washington Office by November 10, so that Council members may have an opportunity to consider the proposals prior to the meeting.

FAS Annual Dues

By now, all FAS members-at-large and Newsletter subscribers have received dues notices for 1962. Please remit promptly.

Bulletin Advertisement

Please note and call to the attention of your colleagues the full advertisement for FAS appearing on the back cover of the October BULLETIN OF THE ATOMIC SCIENTISTS.

Lobbying and the Executive Branch

It is doubtless widely known that Government agencies are active lobbyists in the halls of Congress in favor of or against legislation affecting their own agencies. The activities of the President's staff in this regard have been well publicized.

What has been too little appreciated—and which may be overlooked entirely in the fanfare surrounding the sometimes obsequious catering of agencies to local or personal Congressional interests—is that by and large executive agency Congressional liaison staffs are the most effective and tireless lobbyists known in Washington. The activities of Mr. McCloy's office in pressing for action at the current session on the President's Disarmament Agency bill is a good example.

With very little early direct assistance from the President (except that in mid-summer the President finally told the Democratic Congressional leadership that this was a "must bill"), Mr. McCloy and his top staff—Adrian Fisher, George Bunn, Jep Wade, and Betty Goetz—roamed the corridors and offices until they had talked with every member of consequence concerning the bill, its provisions, and the need for it at this session, taking back in turn the questions, doubts and comments of the legislators in order to be better prepared the next time around. Sympathetic private organizations funneled into the staff the results of their visits and actions. By the time the vote neared, the staff had a "book" on almost every member, similar to a baseball manager's "book" on the opposing team's hitters.

In addition, because of Mr. McCloy's stature and experience, he was able to take the extraordinary step of meeting with the Senate Republican Policy Committee to present his views on the wisdom of and need for the agency.

It is only in rare instances that any private organization is able to muster the talent, expertise, and authority available to a determined and competent agency staff.

SOVIET UNION MAY QUIT ATOMIC AGENCY

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T. Seaborg, Chairman of the AEC and chief U. S. delegate to the meeting. Dr. Seaborg himself urged that members of the Agency resolve to turn scientific accomplishment into a force which can constructively influence the course of world events. He made a number of suggestions whereby the IAEA's program could be strengthened through increased activity in such areas as technical assistance to member countries, research coordination, nuclear power technology, radioisotopes, regulatory activities in health and safety, exchange of information, and distribution of materials. In connection with the last, Dr. Seaborg announced that President Kennedy has approved the allocation of increased quantities of enriched uranium for peaceful uses in the U. S. and abroad. This material "will be subject to prudent safeguards against unauthorized use" (AEC Release, 9/27).

THE TEST BAN

On August 28, 1959, the Soviet government stated, "Only in the event of resumption by them (the Western powers) of the testing of nuclear weapons will the Soviet Union be freed from this self-imposed undertaking . . . not to resume nuclear explosions (N. Y. Times, 9/1). In January, 1960, Khrushchev himself stated before the Supreme Soviet, "Should any of the states . . . resume nuclear weapons tests . . . other states . . . would be forced to take the same road. . . . The instigators of such violations will be condemned by the peoples of the world." (W. Post, 9/15). In August, 1961, Soviet delegates to the Seventh World Conference Against Nuclear Bombs, in Tokyo, voted unanimously for a resolution stating, "The first government to resume tests should be denounced as the enemy of peace and mankind. . . . A country that resumes nuclear tests is trampling on the hopes of all peoples of the world and is an enemy of peace." (W. Post, 9/24). Yet, on September 1, 1961, the Soviet Union ended a three-year moratorium on nuclear testing by the U. S., Britain, and the U. S. S. R., with the first of a series of atomic blasts, several in the megaton range. The speed and intensity of the Soviet tests has brought the charge that there must have been months of secret preparation (W. Post, 9/14). All tests have been in the atmosphere resulting in fallout that has boosted levels in various parts of the northern hemisphere several hundred times (W. Post, 9/15, 9/20, 10/4).

On September 6, President Kennedy announced that the U. S. would likewise resume testing, although without risk of fallout, and on September 15 and 16, after Soviet rejection of a U. S. and British proposal for immediate agreement on a pact to halt atmospheric atomic tests, two underground blasts were set off in Nevada. Pressure toward the resumption of U. S. tests had increased in the U. S. throughout the summer, and the U. S. S. R. had been openly warned of the possibility of such resumption in the face of disagreements at the Geneva Conference and lack of progress toward a test ban treaty (W. Post, 6/18, 7/16, 8/24). At a news conference on August 10, President Kennedy implied that a decision on U. S. resumption of testing would be made in the near future and that a deadline for possible agreement at Geneva was approaching (N. Y. Times, 8/11, 8/24). In announcing its intention to renew testing of atomic weapons, the Soviet Union stated that "It is an open secret that the U. S. is standing on the threshold of carrying out underground nuclear tests" and that the Russian resumption of tests was due to "pressure" from the West (W. Post 8/31). On September 9, the 34-month-old Geneva nuclear test ban conference recessed indefinitely.

There were other developments of interest to those concerned with the dangers in nuclear testing and with the threat of a nuclear war. Britain's Trades Union Congress reversed its year-old anti-nuclear weapons policy to vote overwhelmingly instead for continued use of nuclear weapons (W. Post, 9/8). Attorney General Robert Kennedy said that President Kennedy "is prepared to use nuclear weapons" if necessary to protect Allied rights in Berlin" (W. Post, 9/25). Spontaneous expressions of shock and protest have been at least partially discouraged; nearly 1200 persons were arrested in England and Scotland for ban-the-bomb civil disobedience demonstrations, and temporary imprisonment was imposed on leaders of the protest movement, including Lord Bertrand Russell and his wife (W. Post and N. Y. Times, 9/13).

Yet protest there has been. In a study of the overseas press and radio commentaries, the U. S. Information Agency reported that reaction has been more strongly anti-Soviet than any since the repression of the 1956 Hungarian rebellion (W. Post, N. Y. Times, 9/23). Condemnation was outspoken in the Near East, the Far East, and in South Asia; both Soviet and U. S. testing have been condemned. Thus, Premier Nehru's comment was "I am against all nuclear tests at any time in any place." The Japanese vigorously and immediately protested both the Russian and American actions to the respective governments. Protest has also come from the Scandinavian countries and from elsewhere in Europe. The Russian decision was announced on the eve of a summit conference of 24 non-aligned nations in Belgrade. Although the conference issued no official statement of condemnation, but rather an appeal to both the U. S. and U. S. S. R. to agree to a summit conference "to avert war" (N. Y. Times, 9/5), the Soviet announcement shocked and antagonized a number of these representatives. The Yugoslav government issued an immediate formal statement: "We regret very much that fruitless negotiations in Geneva seeking a ban on nuclear explosions, as well as a deterioration of relations between

the Soviet Union and the United States, had as a consequence a decision of the government of the Soviet Union to renew nuclear tests." (W. Post, 9/1). Internal protest has also been evident. Committees for a Sane Nuclear Policy picketed the Soviet Mission to the United Nations in New York and the Soviet Embassy in Washington (W. Post, 9/2). A Gallup poll reported that, of the people interviewed, 30% in the U. S. and 64% in Great Britain thought that the U. S. should continue the test ban even in the face of the Soviet resumption of tests (W. Post, 9/9).

More important, the U. S. S. R. and the U. S. governments have not announced resumption of testing as an irrevocable decision, and have apparently left the way open for resumption of a test ban or at least a moratorium. The Russian announcement through the Soviet News Agency stated that the Soviet Union is ready "to sign at any time an agreement on general and complete disarmament that would put an end to the nuclear weapons tests" (W. Post, 8/31). President Kennedy was careful to state that the U. S. still affirms its readiness to negotiate a controlled test-ban agreement of the widest possible scope" (N. Y. Times, 9/16). If desire for a test ban is indeed still sincere on both sides, the obvious channel for negotiating differences in approach is now the United Nations, and, in this respect, several hopeful events have occurred. 1) The U. S. and the U. S. S. R. have been able to set forth joint agreement on a set of disarmament principles which open the way for negotiations. 2) President Kennedy's speech before the U. N. General Assembly on September 25 accepted the concept of general and complete disarmament and set forth constructive and practical suggestions for accomplishing it. 3) Proposals to "ease international tension and create an atmosphere favorable for disarmament" were also put forth before the U. N. by the Soviets; these called for measures to lessen the danger of surprise attack, to renounce the use of atomic weapons, and to bar the transfer of such weapons to other countries (W. Post, 9/24). Such developments could allow, for the first time, a common East-West goal on general disarmament and the opportunity to place new consideration of a test ban as a matter of primary urgency in disarmament discussion. The Steering Committee of the General Assembly has already noted for urgent action a debate on a test ban treaty and on "suspension of nuclear and thermonuclear tests." (N. Y. Times, 9/22). Canada has urged the U. N. to take "positive steps" to halt the resumed testing (W. Post, 10/4); other countries have voiced equally grave concern. Moreover, new negotiations on a test ban could conceivably be made more comprehensive than those at Geneva by including France and Red China in the negotiations. President Kennedy's first stage of disarmament has been quoted as proposing creation of an international disarmament organization "presumably including Red China if she would agree" (W. Post, 9/26), and it has been said that the U. S. might "hope to persuade" France also to join in an international nuclear test ban (W. Post, 9/5). The French tests during the Geneva conference aroused much antagonism from the Soviets in the Geneva negotiations. In a speech before the U. N. on Sept. 26, the Yugoslav Foreign Minister openly criticized the renewed testing by the Soviet Union but also stated that the French tests conducted during the 3-year moratorium by the U. S., Britain, and the U. S. S. R. had been a "very grave offense" (N. Y. Times, 9/27). Meanwhile, it is possible that the current underground tests by the U. S. will be used not just as weapons tests but also to provide "a way out of the technical impasse over a test ban inspection system" and will thus help to provide practical help toward the implementation of an inspection program acceptable to the West in any test ban treaty (N. Y. Times, 9/25).

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Chairman..... John S. Toll

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The FAS, founded in 1946, is a national organization of scientists and engineers concerned with the impact of science on national and world affairs.

CIVIL DEFENSE POLICY

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ments including water, debris, fire, health, traffic, police and evacuation capabilities. (6) Protection and emergency operational capabilities of State and local government agencies in keeping with plans for continuity of government. (7) Programs for making financial contributions to the states for civil defense purposes.

For the first time since early planning work just after World War II, civil defense will be housed in a regular Cabinet department of the government.

Where does the Office of Emergency Planning fit into the picture? "More than a little confusion has been created by the Executive Order concerning OEP's role in civil defense", says the report. In fact, after reading four pages of discussion, it is still not possible to obtain from the report a clear picture of the status and authority of the OEP. In general, it appears that the function of OEP is that of advisor to the President and coordinator at a super level of the work of other government agencies. Since the President has reserved for himself emergency authority, the OEP could play a major role in advising and assisting him in the post-attack recovery period. OEP's future is assured by the fact that the President needs expert staff assistance and a mechanism for coordinating the work of non-military defense among the various agencies.

Since the major portion, roughly 80%, of the civil defense energies and funds have been directed toward a shelter program, a considerable portion of the Committee report is devoted to this subject. Ten pages are devoted to the evolution of a national shelter policy and then 20 more pages are devoted to various aspects of the present shelter policy.

The step-child status of civil defense is in part a reflection of the massive public apathy toward the program and the Committee is not only aware of this fact but takes time to go into the matter in some detail. "Attitudes are important in shaping public and official response to the President's call for a civil defense program which will demand increasing Government effort, money outlays, and public participation in the years immediately ahead." Rejection of the civil defense program is conditioned by a variety of beliefs and emotions among which are religious and philosophical attitudes, the feeling of futility, and the fear that a civil defense program might interfere with our negotiations with Russia because the Russians might doubt our sincerity. These and other attitudes are dealt with in the report.

As a concluding chapter, the status of Soviet civil defense measures is considered. As far as can be ascertained, the Russians have a well-organized and continuing civil defense program.

Copies of the report may be obtained from the Military Operations Subcommittee, House Committee on Government Operations, Washington 25, D. C.

ARMS CONTROL AGENCY

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the person investigated may be or may become a security risk, or may be of doubtful loyalty'.

"The Senate amendment conferred responsibility upon the Agency for security requirements. Any derogatory information developed would be turned over to the Office of Security of the Department of State for final determination.

"The managers on the part of the House accepted the Senate amendment with amendments which . . . made the initial conduct of the full field investigation the responsibility of the Civil Service Commission. Should this investigation disclose information which indicates that the person may be or may become a security risk or may be of doubtful loyalty, the report of the Civil Service Commission will then be turned over to the Federal Bureau of Investigation for a final full field investigation.

"The committee of conference agreed that the initial investigation should be performed by the Civil Service Commission and that the facilities of the Federal Bureau of Investigation would be used only when information was disclosed indicating that the person investigated may be or may become a security risk, or may be of doubtful loyalty. Further, the committee of conference recognized that the Federal Bureau of Investigation should not be required to evaluate the facts disclosed by its investigation. This determination is the responsibility of the Director [of the Agency]. The amended language establishes procedures similar to those provided in the Atomic Energy Act for the investigation of employees and other persons connected with the Agency.

The requirement in the House that all reports shall be turned over to the Director for final determination was deleted since the same section already required that no person shall be permitted to perform services or have access to classified information until he shall have been investigated, the report turned over to the Director, and the Director "shall have determined that such person is not a security risk or of doubtful loyalty."

The committee of conference also agreed to delete the phrase [which] would have required a full field investigation of contractor officers or employees even on a contract which involved no classified information whatever. These investigations frequently cost as much as \$800 per individual and take from 2 to 9 months to complete. Thus, an unclassified \$5,000 contract involving the incidental services of perhaps a dozen people over a 2-month period might cost an additional \$2,400 and be delayed for perhaps 9 months. The committee of conference recognized the rigidity of the requirement and agreed to its deletion.

The Agency is now seeking scientists and specialists in military analysis to fill positions with salaries up to \$19,000 a year. Those interested in the possibility of working in the Agency may proceed most expeditiously by completing a Federal Civil Service Form 57, and sending it, together with a description of functions they would feel suited to perform in the Agency, to the U.S. Arms Control and Disarmament Agency, Washington 25, D. C.

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