

Appendix A

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26 May 1947

Memo to: Carroll L. Wilson
From : H. A. Fidler
Subject: DECLASSIFICATION POLICY

CLASSIFICATION CANCELLED
~~OR CHANGED TO~~
BY AUTHORITY OF *Office of Declass*
BY *[Signature]* DATE *12/12/84*

A. STATEMENT OF PROBLEMS

1. The Atomic Energy Commission must adopt a general policy regarding the release of scientific and technical information that will be compatible with its responsibilities under the Atomic Energy Act.

2. The Atomic Energy Commission must determine the extent of coordination of our declassification program with that of the British and Canadians.

B. BACKGROUND FACTS

1. A general philosophy on the release of scientific and technical information was presented in the "Report of Committee on Declassification" dated 17 November 1945. This Committee on Declassification consisting of Dr. R. C. Tolman, Chairman, Drs. R. F. Bacher, A. H. Compton, E. O. Lawrence, J. R. Oppenheimer, F. H. Spodding and H. C. Urey with Lt. Col. J. R. Ruhoff as Secretary was appointed by General Groves to recommend a program on the declassification and release of information. The following three sections are quoted directly from the first report of the Committee.

"General Philosophy of the Committee"

"In accordance with your directive the Committee has considered the effect of release of information both on the national welfare and on the national security. In the interest of national welfare it might seem that nearly all information should be released at once. In the interest of national security a superficial consideration of the problem might lead to the conclusion that very little information should be released.

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"It is not the conviction of the Committee that the concealment of scientific information can in any long term contribute to the national security of the United States. It is recognized that at the present time it may be inevitable that the policy of the Government will be to conceal certain information in the interest of national security. Even within this limitation there are many matters whose declassification would greatly help the progress of science without violating that policy. If we are looking to the national welfare or national security as they may be two decades from now the Committee has no doubt that the greatest strength in both fields would come from a completely free and open development of science.

"Thus, the Committee is inclined to the view that there are probably good reasons for keeping close control of much scientific information if it is believed that there is a likelihood of war within the next five or ten years. It is also their view, however, that this would weaken us disastrously for the future -- perhaps twenty years hence.

"The recommendations made by the Committee in what follows are based on the above views of the problem. In particular, in order to carry out these views, it is proposed in Section VII that the information under consideration be assigned to the following categories: Class I: Information recommended for immediate declassification; Class II: Information whose declassification would conduce to the national welfare and to long term national security, so that the date of declassification should depend on estimates as to the probability and imminence of war; Class III: Information not at present recommended for declassification and whose declassification should await a real reduction in the threat of atomic warfare.

Criteria Affecting the Declassification and the Transmission of Information

In considering the declassification and the transmission of information, the Committee concluded that it was appropriate to apply the following positive and negative criteria:

Positive Criteria

1. Advancement of general science.
2. Advancement of non-military aspects of nuclear science.
3. Advancement of military aspects of nuclear science.
4. Advancement of general technology.
5. Advancement of non-military aspects of nuclear technology.
6. Advancement of military aspects of nuclear technology.
7. Information already substantially known outside project.
8. Information readily obtainable by theory or minor experimentation.

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Negative Criteria

1. Disclosure would jeopardize U. S. military security.
2. Disclosure would weaken U. S. position in international discussions.
3. Disclosure would jeopardize patent position.

The Committee gave consideration to the possibility that an appropriate positive criterion would be "information that cannot be kept secret". After careful consideration it was concluded that this was not a proper criterion.

The Committee gave consideration to the possibility that an appropriate negative criterion would be "disclosure would not give fair credit to different workers". It was concluded that this is not an appropriate criterion for declassification but is an important matter to consider in connection with the publication of information.

The Committee concluded that the relative importance of the criteria set forth above should be regarded as subject to change with time as follows:

1. As experience is gained in declassification.
2. As the state of general knowledge in the field changes.
3. As the state of the art changes.
4. As the international situation changes and as the formulation of policy by the Government progresses.

Categories of Information

In order to make definite recommendation as to the declassification and the transmission of information the Committee decided, as outlined in Section V, that it would be desirable to divide all of the information to be considered into the following three categories:

- Class I: Information recommended for immediate declassification.
- Class II: Information whose declassification would conduce to the national welfare and to long term national security, so that the date of declassification should depend on estimates as to the probability and imminence of war.
- Class III: Information not at present recommended for declassification, and whose declassification should await a real reduction in the threat of atomic warfare.

Class I includes basic scientific information which has little direct application to the problems of production or military utilization. Class II includes certain basic scientific information which would be of great value to the development of science

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but which has a direct bearing on production or military utilization. It also includes technological information which would be of great importance for the peacetime utilization of atomic energy but which also has importance for production or military utilization. Class III includes information which has immediate application to the problems of military utilization but for the most part has little application to the development of science or to peacetime utilization. Included in this class are statements with regard to production capacities, amounts of active material on hand, present output of bombs, stock pile of bombs, etc. This inclusion in Class III is made in order to research to the President and the Congress the formulation and disclosure of national military policy."

2. The Committee on Declassification applied the above criteria to information developed on the project and made specific recommendations as to the category that should be assigned to each topic. In addition it presented a table of "Classified Substances" which listed the high atomic number elements as well as some materials essential to production processes and delineated in broad terms the information that might be released concerning these substances. The following summarizes their recommendations in slightly paraphrased form:

Classification of Topics

a. Class I: (Recommended for immediate declassification)

- (1) Physical instrumentation and chemical and metallurgical techniques provided they do not reveal otherwise classified data.
- (2) Methods of applied mathematics if illustrated on declassified subjects.
- (3) All nuclear properties of non-classified substances.
- (4) Design and operating characteristics of small experimental piles in which enriched material or heavy water is used, provided the pile generates power at a level under 100KW. The chemistry of decontamination is not included.
- (5) Elementary theory of neutron diffusion and general pile theory.
- (6) Experimental and theoretical physics of the electromagnetic separation plant provided they do not reveal production details or processes.

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(7) All chemistry of non-classified substances not directly involved in production or utilization of fissionable materials and all methods of chemical analysis provided these do not reveal process details by inference.

(8) Fluorine and fluorocarbon chemistry and technology.

(9) Details of fission product chemistry, omitting reference to separation processes.

(10) Basic theoretical work on cascade design, kinetic chemistry, and thermal diffusion not revealing production methods in the diffusion plant.

(11) All medical studies including those concerning Hiroshima and Nagasaki if no information otherwise restricted is revealed thereby.

- b. Class II: (Information that would conduce to the national welfare but not recommended for declassification at the present time.)

A great many topics were placed in Classes II and III. In order to avoid a lengthy list of these, but still give some background about the categories that were to remain classified, the following are given as typical examples:

(1) Experimental work on centrifuge method of isotope separation and detailed mechanical design.

(2) Nuclear characteristics, including capture, fission, and scattering cross-sections for all energies of neutrons; number of neutrons produced per fission; spontaneous fission rates, etc.; for all isotopes of plutonium, uranium, proto-actinium and thorium.

(3) Values of radiation levels in production pilos.

(4) Critical masses without reference to weapon design.

- c. Class III: (Information not recommended for declassification)

(1) Production plans, over-all details, flow sheets, rates of production, operating procedures and policy.

(2) Stocks and reserves of uranium and all other classified substances.

(3) All weapon information and all specifically military matters.

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3. When the Declassification Guide was first issued, Mr. Roger Makins and Sir James Chadwick, representatives of the United Kingdom, met with General Groves to consider the coordination of the declassification programs of the United Kingdom and the United States. General Groves gave them copies of our Declassification Guide (exclusive of the section on weapons) for study. On May 17, 1946, Mr. Makins advised General Groves that he had received word from London that the declassification rules were acceptable to them. The Canadians were presumably included in this agreement.

C. DISCUSSION

1. In approving the release of information by means of a Declassification Guide prepared from the Committee report, a considerable number of difficulties were encountered. A large portion of these difficulties involved two subjects, reactors and nuclear physics. The resolution of the difficulties is not simply a matter of interpretation but involves the question of the extent of release of information. Therefore these two subjects require consideration as examples, not simply to resolve difficulties, but to define limits as to what may be appropriate to release.

a. Reactors

When the Committee on Declassification originally considered the declassification of piles it intended to permit the declassification of small reactors. The Committee had two major reasons for the release of information on small reactors, first, for educational purposes, and secondly, for the design and construction of small reactors by university groups not all of whose members were necessarily bound to security regulations. It is believed that the second reason is no longer valid for

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the time being. This is based on the assumption that the Commission will not permit the construction of small reactors by groups other than those entirely within the Atomic Energy Commission in the near future.

b. Nuclear Physics

The original report of the Committee on Declassification was written so that it excluded the release of any nuclear physics information about the high atomic number elements. This has led to the withholding of scientific information which is in no way related to weapon or production information. Certain half-lives, alpha and beta activities, etc., are of considerable scientific interest and should be released.

2. The British and Canadians agreed to follow the Declassification Guide adopted by the United States. Since questions of interpretation of the Guide have arisen, however, there has been some release of information in Canada which would not have been released under our interpretation of the Guide. Furthermore, the British have recently modified their Atomic Energy Act of 1946 by an order (Statutory Rules and Orders No. 100, dated January 20, 1947) which permits the release of information which is not necessarily released by the United States Guide. Unless there is some active coordination in our declassification programs, information which we would like to safeguard may be released, e.g., information on piles and light element reactions.

D. RECOMMENDATIONS

1. The Commission should affirm as its own the basic policy of the Committee on Declassification for the release of scientific and

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technical information.

2. The Commission should approve in principle the "Classification of Topics" given in the "Report of the Committee on Declassification" and declare that information officially released under past and existing declassification procedures is not "restricted data".

3. Recognizing that the "Classification of Topics" in the "Report of the Committee on Declassification" can serve only as a broad basis for a working policy, the Commission should approve, modify, or reject the following two statements so that they may serve as guidance to the Declassification Organization in interpreting the Commission's basic policy of declassification.

a. The Committee on Declassification's recommendations on the release of information on small reactors should be interpreted to release only that information which is of particular value for teaching the basic principles of small reactors. This excludes the release of information on the design of small reactors.

b. The Commission should reaffirm that it wishes to retain classification on those aspects of "nuclear" and "neutron and fission" physics of the high atomic number elements which have direct bearing on weapon or production information. The Commission should, however, approve the release of such data in these two classes that does not have any bearing on weapon or production information.

4. The Commission should reaffirm or authorize the establishment of close liaison with the British and Canadian authorities on declassification matters so as to assure the common defense and security of the United States.