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ATOMIC ENERGY COMMISSION

MEETING NO. 1327

2:00 p.m., Tuesday, January 28, 1958, Room A-410
Germantown, Maryland

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Present

Lewis L. Strauss
W. F. Libby
Harold S. Vance
John F. Floberg
K. E. Fields
Edwin E. Ferguson
W. B. McCool

Also Present

James E. Ammons
John M. Bodley
John H. Burchard
Kenneth W. Davis
John A. Derry
Paul C. Fine
Edward R. Gardner
John R. Hood
William G. Jenkins
George M. Kavanagh
Charles L. Marshall
Paul W. McDaniel
John L. McGruder
Donald F. Musser
Curtis A. Nelson
Frank K. Pittman
Calvin Potts
Harold L. Price
George F. Quinn
Morse Salisbury
Charles W. Schilling
Alice Smith
Oscar S. Smith
A. Tammaro
John P. Trevithick
Allen J. Vander Weyden
William V. Vitale
Forrest Western

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FOLDER Meetings 1323-1345, Vol 20, 1 of 3

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After further discussion, the Commissioners indicated they had no objection to the General Manager's proposed review of the FY 1959 budget.

d. Polio Vaccinations for HARDTACK Observers

Mr. Fields reported that as the result of several cases of polio in the Marshall Islands, Joint Task Force-7 will require that all military personnel at HARDTACK be vaccinated for polio. He said the staff had recommended that all AEC personnel at HARDTACK also be vaccinated and that he planned to proceed with this recommendation.

e. Procedures for Hearings on Patent Policies

Mr. Fields reported that a staff paper on procedures for hearings on patent policies would be circulated to the Commission at an early date. He commented that he had discussed this matter with Senator Clinton Anderson and that he proposed to recommend open hearings on the Commission's patent policies.

During the brief discussion of this matter, Mr. Libby suggested that in the course of the hearings, consideration should be given to recognition of important contributions of individuals in the AEC program which under present policies are not reimbursable.

f. Claim of Jerome S. Spevack Against the Government

The Commission briefly discussed procedures for handling patent claims against the Government. Mr. Libby commented on the Jerome S. Spevack claim which is now before the Supreme Court and requested that a briefing on this matter be arranged for himself and Commissioners Graham and Floberg.

At this point, Mr. Strauss entered the meeting.

From Meeting #1327

g. Birthday Congratulations for the Chairman

On behalf of the other Commissioners, Mr. Libby extended best wishes and congratulations to the Chairman on the occasion of his birthday.

Mr. Strauss said he had also received telephone calls on this occasion from Mr. Sterling Cole and Sir Edwin Plowden who requested that they be remembered to the other Commissioners.

h. Presidential Approval of HARDTACK Test Plans

Mr. Strauss reported that he had been informed by a telephone call from the White House of the President's approval of the test plans for the first six months of Operation HARDTACK. Mr. Strauss said the President had some questions regarding the fall phases of the test and added that he would brief the President on this part of the test.

i. JCAE Request for Opinion on Section 144b

Mr. Diamond commented on the recent JCAE request for an opinion on Section 144b of the Atomic Energy Act with respect to the question of communication of Restricted Data to foreign countries (See AEC 978/9, subsequently circulated). He said that the opinion and a letter of transmittal had been prepared, subject to Commission approval of providing the JCAE this opinion. Mr. Diamond reported that he had discussed this matter with Mr. Gerald Morgan of the White House, and Mr. Morgan had suggested that the question of executive privilege on this matter should not be raised.

Mr. Graham commented that if the JCAE regards the opinion requested as an interpretation of the Atomic Energy Act, he believed the General Counsel's opinion might become a public document once it was provided the JCAE.

From Meeting # 1327