

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE CHIEF OF STAFF

WASHINGTON, D. C.

MAY 1954

MEMORANDUM FOR SECRETARY FLEMING  
CHAIRMAN, FEDERAL RADIATION COUNCIL

Subject: Promulgation of guidance to the President for the use of  
Federal agencies in the conduct of radiology and related  
activities

The Working Group has drafted a memorandum to the President which the Federal Radiation Council will consider at its next meeting on May 14th. Presumably the memorandum will, in the course of agency review, be signed by the members of the Council and transmitted to the President for his approval of the Council's recommendations. Assuming that the President does approve the recommendations, the manner in which the approval is announced and disseminated should be determined.

In making that determination, the following factors should be kept in mind:

1. Presidential approval of the recommendations should be clearly indicated.
2. It is desirable that notice be given to the agencies and agencies that the recommendations have been approved by the President.
3. It is desirable that the approved recommendations be made a matter of record so that for definitive reference should be made to them in the course of agency operations, research programs, and cooperative programs with other agencies.
4. The recommendations should be promulgated as guidelines rather than as orders and directives (for the reasons determined last year in consultation with the heads of some of all agencies involved in a consideration of the use of orders and the legislation).
5. Presidential action in the form of such a final statement should be taken prior to the release of the report which will be on approximately May 15th.

We have examined various alternative methods of promulgation, ranging from one use of an executive order to the present method of statement only. It is felt that the latter method is the most desirable.

REPRODUCTION 11-11-54

recommend that the memorandum be prepared and published in the Federal Register. We recommend that the first page of the memorandum be the heading "Radiation Protection"

"If the foregoing recommendations are approved for the guidance of Federal agencies in the conduct of radiological protection activities, it is further recommended that this memorandum be published in the Federal Register."

Secretary, Health, Education and Welfare  
Washington, D.C.

Secretary, Department of Defense  
Washington, D.C.

Secretary, Department of State  
Washington, D.C.

Secretary, Department of Justice  
Washington, D.C.

Secretary, Atomic Energy Commission  
Washington, D.C.

The recommendations contained in the above memorandum are approved for the guidance of Federal agencies, and the memorandum shall be published in the Federal Register.

(for President's signature)

(4)

Such an approach has numerous advantages. It is the only way in which the recommendations would be clearly indicated, yet it is the only way in which the President has acted upon the advice of his cabinet. Publication in the Federal Register provides all Government agencies with the information

REPRODUCED AT THE NATIONAL ARCHIVES

guidance for their use has been approved by the President, and that that guidance a matter of record. It is clear that the President is not issuing an order or directive. The action is of such a nature that it can easily be acted upon without the time-consuming delay inherent in some other alternative. It is also possible that this type of action by the President.

We have conferred informally with Justice staff on this matter. There appears to be no legal problem in taking the President in the manner suggested above.

We suggest that the press release which the President's action be brief, possibly saying such as: "The President has approved the recommendations contained in the attached report from the Federal Radiation Council. He further approved specific arrangements for relief of the health and welfare of Welfare press relations he will be known by press relations and Press Secretary Hagerty."

*James B. Stewart*  
Deputy Director