

July 15, 1954.

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Admiral Lewis L. Strauss
Chairman, Atomic Energy Commission
Washington, D. C.

Dear Admiral Strauss:

Attached are copies of two brief documents prepared by members of a special committee of the Los Alamos Branch of the Federation of American Scientists for study of the Personnel Security Program.

We are hopeful that you will consider these documents of sufficient value to call them to the attention of President Eisenhower and members of your Commission in the near future.

Respectfully yours,

William C. Dickinson

William C. Dickinson
Chairman, Los Alamos Branch
Federation of American Scientists

Frederick Reines

Frederick Reines
Chairman, Committee for Special
Study of Personnel Security Program

Received in Office of General Manager

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July 15
1954

A Statement of Views on a Balanced Personnel Security Program

For the past several weeks we have been studying the transcripts of the testimony before the Gray Committee and the statements of the Gray Committee and the Atomic Energy Commission in the Oppenheimer case. We are convinced by the controversial nature of the security standards applied in this case, as in many other less well-publicized incidents, that there is a need for a new approach to the problem of security in government agencies. The present system is based on the premise that the more demanding the standards of personal conduct, the better are the national interests served. However, loyal people at all levels of responsibility in the atomic energy program, including the commissioners themselves, might well be indicted by the same kind of standards as were applied to Dr. Oppenheimer. Carried to a logical extreme, the general application of these unfeeling standards must cripple the entire program. Our fears are stimulated by the Gray Committee report which amply demonstrates that President Eisenhower's security directive may be interpreted to justify highly subjective definitions of the term "security risk". Therefore, we urge that the President's directive be amended so as better to safeguard the rights of present and prospective government employees and to promote the true security of the nation. To this end we attach a list of suggested changes and clarifications in the present directive and state the following guiding principles.

We believe that protection of national security requires that we excel the potential enemy in the development of those human and physical resources which contribute to the defense and well-being of the country. Our lead is maintained by a combination of achievement, which contributes positively to our security, and of secrecy, which contributes negatively. It is only secrecy, the negative contribution, which is seriously considered in our security program. We must recognize the need in any balanced view of the problem for considering positive security. Potential contributors to positive security must not be eliminated except for the most compelling reasons of negative security. In our fight with totalitarianism, we must not lose the distinction between the totalitarian view in

which individuals are completely subordinate to the state and the traditional democratic view as exemplified by constitutional guarantees in the Bill of Rights.

CK | We believe that the general basis for clearance should be "Clear this man unless you have after careful investigation determined that there exists reasonable doubt as to his ability to meet the necessary requirements". Such a positive approach is in the highest democratic tradition which assumes the citizen to be an honorable man unless proved otherwise. At the same time it recognizes the need for safeguards for the nation in perilous times. ✓

| We believe that the number of reasons for upholding the charge of security risk must be carefully limited and explicitly described lest the definition of security risk be broadened to include more and more valuable contributors to positive security. An individual merits the withholding of security clearance only when he is demonstrably disloyal to our Constitution, clearly indiscreet in his protection of classified matters, dishonest, or susceptible to coercion to treason. ✓

We believe that guilt by association is not a sound guiding principle in the security system of a brave nation. When an individual associates with a large number of reputedly disloyal people, it may be possible to advance the charge of flagrant indiscretion or even disloyalty, but when a few such associations can outweigh all other evidence of discretion and loyalty, the security system is in danger of becoming monstrous. ✓

CK | We believe that each man may bring to any discussion not only those ideas and conclusions which fall within his technical competence, but also such moral considerations as he considers pertinent, each man according to his own conscience. The security law should clearly reserve this right to the individual. It is, in turn, the responsibility of the individual to label clearly his moral and technical arguments. ✓

| We believe that free citizens, including advisors to government, have the unquestioned right of dissent, including the right of dissent after an administrative decision has been taken. Not only is dissent a proper individual right, but it is absolutely indis-

pensable to any searching examination of evidence. Therefore, an unafraid government will, in its own self-interest, protect the right of dissent by stating, in the security law, that dissent is not a valid basis for the charge "security risk".

By no particular choice of their own, scientists, diplomatists, and a few other occupational groups find themselves in the front lines of the struggle to reconcile the requirements of national security with the preservation of individual liberties. We believe that the large majority of scientists employed by the Atomic Energy Commission are fearful that their rights as individuals have been compromised by the rules adhered to in the Oppenheimer case. We believe that the successful functioning of our laboratories can be seriously impaired by the general dissatisfaction of the scientific community with the neglect of the positive aspects of security. We are hopeful that a courageous stand taken now by the members of the Atomic Energy Commission on the principles suggested here will materially alleviate the fear and possible damage engendered by the events of the past several months. We respectfully request the support of the Commission. We propose, in any event, to push vigorously for public and political recognition of these principles.

William C. Dickinson

William C. Dickinson
Chairman, Los Alamos Branch,
Federation of American Scientists

Frederick Reines

Frederick Reines
Chairman, Committee for Special
Study of Personnel Security Program

Members of Committee for Special Study of
Personnel Security Program:

John E. Brolley, Jr.,
George A. Cowan
David L. Hill
J. Carson Mark
~~Fred L. Ribe~~
Marshall Rosenbluth
Roderick W. Spence
David B. Thomson

It never
has been
This is a
straw man

next
true

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Strauss Papers--AEC, Oppenheimer, J. Robert

July 15
1954

Comments by a Special Committee of the Los Alamos Branch of
the Federation of American Scientists on Executive Order 10450

The following comments on Executive Order 10450 (Security Requirements for Government Employment) represent our views of ways in which this order might be changed so as to improve and further the security of the United States. We do not wish to imply that the suggestions made here are final or complete, or that they are couched in the proper legal phraseology. The remarks are illustrative; the document not a legal one. We accept as a premise the necessity for secrecy and the concomitant need for clearance of individuals prior to their employment for classified work by the government.

First, comments on some specific points in the Executive Order, especially in Section 8 of that paper. We are in essential agreement with the criteria set forth in Items (1) (ii), (iii), (iv), (v); (2), (4), (6).

Items (1) (i), and (3):

These Items both deal in whole or in part with the relevance of associations. It is clear that a man's associations may be a measure of his character and interests and as such must be considered in making an estimate of his loyalty. The problem is how and where to draw a reasonable line. There is no mention of the closeness of the association which is considered dangerous or of whether association with an unclearable individual is derogatory either with or without prior knowledge of that individual's status. Is association with Dr. Oppenheimer, for example, to be treated formally as comparable with association with a Soviet Agent? Such questions should be spelled out. Further, we suggest that a statement be included which would exclude from consideration, for example, evidence that a man spoke to a Red or former Red about unclassified physics at an open technical meeting of the American Physical Society. In addition it should be stated in Item (3) by what authority a man is defined as a saboteur, spy, etc.

Item (1) (i) adds nothing in the way of explicit criteria. It is a catch-all on which any person can be denied clearance and we feel it should be dropped.

Item (5):

If present membership is meant, we agree with the provision of this Item. Membership prior to general recognition that the organization is

designed to injure the United States is another question. We must remember that the national climate and policy change and that there was a time when Russia, for instance, was as a matter of national policy considered to be a friend as well as an ally.

Item (7):

If this Item is retained it should contain an explicit statement which indicates and delimits willful acts against the United States. The failure to do the right and best thing for the U.S. could be the result of circumstances, e.g., a general loses a battle to superior forces, or an action is taken in good faith but turns out in retrospect to have involved a poor decision. There is a real question in our minds whether such a provision belongs in any set of security clearance criteria. If the individual has committed, or is suspected of having committed, acts that violate law, he should be tried in a court of law. To retain this section even modified as suggested, would make for an atmosphere in which men would be afraid to voice their opinions because of the possibility that in the future, or even at present, these opinions would be held as not to the best interests of the U.S. and employment be denied as a result. The right and duty to give an honest opinion and to disagree on complex matters according to an individual's best judgement is vital to our survival as a nation of free men.

General Comments:

A weakness of the present directive is that its provisions are so vague and all inclusive that any individual could be branded as a security risk if the will to do so existed in the appropriate government quarters

Special stress should be laid on the provisions of Section 9(c) which rules that the materials employed in a security investigation should be kept in strict confidence, as should the result. In particular we feel that the results should be made known only to sensitive agencies contemplating employment of the individual. Despite the fact that the criteria for employment in sensitive jobs are necessarily more stringent than those which apply to non-sensitive jobs, refusal of security clearance for the former has often led to refusal of employment in the latter, be it in or out of the government. Therefore the danger is great that individuals will be reluctant to hazard the refusal of security clearance and hence will not choose to apply for work in those areas which require clearance

we always suspect secrecy - Only the individual may release

This factor denies the A.E.C., for example, trained scientists it needs.

Implicit in some of the comments already made is the view that one should attempt to apply a sort of "statute of limitations" on evidence used in security investigations. This should apply especially to the case in which derogatory information has been considered and ruled out as such by a previous loyalty investigation. Such a suggestion is in the spirit of the guarantees provided by the Bill of Rights.

William C. Dickinson

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Chairman, Los Alamos Branch,
Federation of American Scientists

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~~Fred L. Ribe~~
Marshall Rosenbluth
Rod W. Spence
David B. Thomson

For Release: 12 Noon, July 16, 1954.

Comments on Interview of F.A.S. Committee with Lewis L. Strauss, Chairman, A.E.C.:

The Los Alamos Branch, F.A.S. Committee for the Special Study of the Personnel Security Program met with A.E.C. Chairman Lewis L. Strauss this morning in the Director's Office of the Los Alamos Laboratory. Those meeting with Mr. Strauss were: F.A.S. Branch Chairman William C. Dickinson, Special Committee Chairman Frederick Reines, George A. Cowan, J. G. Dash, David L. Hill, Marshall Rosenbluth, Fred L. Ribe, Harlow W. Russ, and David B. Thomson.

The discussion concerned the effect of the Personnel Security Program on the strength and well-being of the United States. The meeting was held against the background of the Oppenheimer Case. The committee stated that this case as well as others less celebrated showed the urgent need for reconsideration of the entire Personnel Security Program. The meeting was characterized by a friendly exchange of views in which common ground was discovered. ~~For example, Mr. Strauss expressed a feeling that the particular definition of disloyalty stated by Commissioner Murray in the Oppenheimer Case was inappropriate.~~

He agreed with and developed the view expressed by the Committee that the issues involved in the security system go beyond the rights and interests of the scientific community and involve the rights and interests of the entire nation.

The committee emphasized that the positive development of the national security is being impeded by the present Personnel Security Program. Mr. Strauss stated his deep concern over many years with the problems of security regulations and reiterated an earlier statement in which he favored "higher fences about a smaller area of information." He further indicated the view that care must be taken to avoid the application of security criteria for employment in non-sensitive areas.

Chairman Strauss informed the Committee that he hoped to return to Los Alamos for a more extended visit in September and have an opportunity to continue discussions of this subject.

Following is the text of two documents prepared by the Committee and given to Mr. Strauss for his study and with the request that they be transmitted to his fellow Commissioners and to the President. These documents express the conclusions of the Committee relative to the Personnel Security Program after prolonged study of the documents pertinent to security regulations and the transcripts of the Oppenheimer hearings.

The documents themselves were not however discussed at the meeting with Mr S

Washington Post
7/26/54

Right to Dissent Defended

Atomic Scientists Urge New Security Standards

Associated Press

A group of atomic scientists, declaring there is a need for a new approach to security, proposed yesterday a six-point revision of Government standards.

The Federation of American Scientists made public the proposal which it said was prepared by its representatives at the Atomic Energy Commission's Los Alamos installation and presented there July 16 to AEC Chairman Lewis L. Strauss.

The federation statement said that "loyal people at all levels of responsibility in the atomic energy program, including the Commissioners themselves, might well be indicted by the same kind of standards as were applied to Dr. Oppenheimer."

Dr. J. Robert Oppenheimer, who supervised development of the atomic bomb at Los Alamos, was declared a security risk last month by the Commission which revoked his access to secret information. The action was based on his admitted former association with Communists, his failure to adhere strictly to security rules and other factors.

As the first point of their proposal, the scientists said achievement is a form of positive security as important as the negative contribution of secrecy, and "potential contributors to positive security must not be eliminated except for

the most compelling reasons of negative security."

On other points they said:

- A man should be cleared unless careful investigation shows reasonable doubt of his ability to meet the necessary standards.

- These standards "must be carefully limited and explicitly described lest the definition of security risk be broadened to include more, and more valuable contributors to positive security."

- Although association with a large number of reputedly disloyal persons may be a ground for a finding of disloyalty or flagrant indiscretion, the scientists contended that "when a few such associations can outweigh all other evidence of discretion and loyalty, the security system is in danger of becoming monstrous."

As their final two points, they said scientists must be allowed to discuss moral as well as technical phases of their work and must have the unquestioned right of dissent.

One of the charges against Oppenheimer, largely discounted by the AEC in its decision, was that he opposed development of the hydrogen bomb. Oppenheimer testified that he did not favor a hurry-up program to develop the super weapon, but did not actively oppose it after former President Truman ordered work on it to proceed.

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Strauss Papers--AEC, Oppenheimer, J. Robert

UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON

OFFICE OF THE CHAIRMAN

16 September 1954

MEMORANDUM TO: Harry S. Traynor

I am attaching a communication which I received from William C. Dickinson and Frederick Reines of the Los Alamos Branch of the Federation of American Scientists. The document which they enclose may have some pertinence to the work of the Brucker Committee on which you have been sitting. I do not wish them introduced into the record of that Committee but you might read them to see whether there is any constructive content.



Lewis L. Strauss

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Received by _____ General Manager

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