



Scientists are as good judges of each other's loyalty reliability and ability to keep secrets as is anyone else. They believe that a man's behavior can be understood only by understanding his psychology and that purely formal requirements as to whether or not the man had been a member of the Communist Party are not very valuable clues to a man's psychology. Also scientists know perfectly well that a man working on the Los Alamos Laboratory who is known to be a security risk is no security risk any longer, for once he is suspect by the F.B.I. he is in no position to give away secrets, even if he should have any intentions of doing so. The decision of the Atomic Energy Commission to move was therefore considered by the scientists to have absolutely nothing of the desire of the Commission to safeguard the national security and was generally interpreted as the desire of the Commission to safeguard itself against political attacks. Because ~~This~~ the Laboratory went to great lengths to keep this man and went to the point where the director of the laboratory made a special trip to Washington to plead with the Commission to retain him, the refusal of the Commission to follow the Laboratory's recommendation caused great dissatisfaction at Los Alamos. I know of at least one distinguished theoretical physicist who at that time considered joining Los Alamos, and decided against doing so when the Laboratory was overruled by the Atomic Energy Commission. I believe it is useless to ~~destroy~~ disregard the political that a government has to face and to expect the government agency to retain in his job a former member of the Communist Party, even though his intention of dismissal ~~is~~ has admittedly had nothing to do with safeguarding national security.

Moreover, it is clear that with pressure in Congress increasing and with public opinion (or at least that part of it which finds its expression through the majority of our newspapers) supported Congress, a government agency like the Atomic Energy Commission will be more and more concerned by its own security and will handle security cases accordingly. This was demonstrated by a recent security case, the news of which is spreading like wild fire in the scientific community and which is likely to form a new wave of uneasiness.

The case of a man ~~who~~ was recently reviewed by the local board which cleared him. The charge was that ~~from~~ <sup>some</sup> eight or ten years ago his wife was the member of some organization which are now classed subversive by the Attorney General. This fact was not contested. This man was cleared by the local board, but the general manager's office overruled the local board and was upheld by the loyalty board of the Atomic Energy Commission. This means that the man has lost his job and since work on atomic energy proper which looks toward peace time application of atomic energy is everywhere under the control of the Atomic Energy Commission, ~~therefore~~ it means that this man not only has lost his job but also has been thrown out of his profession. Whether or not the decision of the Atomic Energy Commission was just from the point of view of safeguarding their own security or that of the nation no one in the Atomic Energy Commission asserts that this man lost this job through some fault of his own. It is not customary in America for a man who marries to pry into the associations of his wife prior to when he is married, nor can any man be expected to choose his wife even if he knew all about her at the time of marriage according to her past political associations.

With the political situation becoming more and more tense, less and less suspicion will be deemed sufficient ~~because~~ for dismissal of a scientist in the future, and scientists will be less and less inclined to take government jobs of their own free will. While the demands of security as interpreted by the government and the need for protecting the individual against losing his job on the grounds of suspicion are obviously in conflict with each other, and as time goes on this conflict is going to be sharper and sharper.

Yet the demands of security and equity are perfectly reconcilable if a different philosophy is adopted. A man who is removed from his government job on the basis of evidence which would be judged inadmissible or insufficient to prove his guilt in court, should continue to receive his salary until such time as he has found other satisfactory employment.

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The truth of the matter is that in many cases these two requirements are irreconcilable, for a man may be considered a security risk for no fault of his own, for instance because of associations of his wife; and moreover there are always cases in which there is doubt and if the doubt has to be resolved in the favor of the government, the mere observance of due process does not protect the rights of the individual. My thesis here is the point I wish to make in this paper is that if a national interest is involved which requires that a doubt ~~is~~ be resolved in favor of the government and a man who may be innocent ~~is~~ to be removed from his job, equity demands that the financial burden be carried by the community and not by the individual who is affected. It follows that ~~is~~ <sup>if</sup> a man has to be removed from his job for no fault of his own or on the basis of evidence that would not stand up in court, he ought to be transferred to some job which is less sensitive than the one he had or else if that is not possible, he ought to retain his salary until such time as he can obtain other employment and if necessary for at least five years. The Loyalty Oath of the President disregards and disregards unnecessarily considerations of equity. The Atomic Energy Commission which does not directly come under the Loyalty Oath of the President but which faces a different problem than other government agencies has repeatedly modified its procedure in a futile attempt to reconcile requirements of security with the need of protecting the job of the individual. It has at least granted certain rights to those who apply for a position with the Atomic Energy Commission, and are refused ~~clearance~~ clearance which is certainly a step in the right direction, but ~~is~~ due process while it is necessary does not offer sufficient protection. This is becoming clearer and clearer as time goes on. For a long time there were no cases of dismissals of scientists which were considered as major grievances by the scientific community which was affected.