

SECURITY AND THE AMERICAN HERITAGE

Address by
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It is a singular honor to be invited to address the united chapters of Phi Beta Kappa.

I would be less than candid if I did not admit that I stand before this scholarly and enlightened audience with a bit of fear and apprehension.

I am consoled, however, by the realization that you are a tolerant and cosmopolitan group, and one that believes in unfettered and free exchange of ideas. Possibly it is good for scholars and politicians to meet and discuss problems of mutual concern. At least it is in this spirit that I appear before you to discuss the subject of our government security and loyalty program.

We can discuss this subject in a political atmosphere that is considerably different from that which prevailed even a year ago. Times and attitudes have changed -- and all to the good.

When one compares the present frame of mind with that which has existed since 1950, there seems to be a growing sense of emotional and intellectual sobriety.

People in private and public life are becoming much more analytical and objective in their thinking on the subject of internal security, just as they are becoming more concerned about the basic traditions, rights and liberties of the American citizens.

Yes, these are good signs of the times. They indicate substantial spiritual and emotional recovery. I sincerely believe that we have lived through the most difficult and trying period of hysteria and irrationalism. We are beginning to walk upright, renewing our strength and confidence in the great traditions and heritage of American liberty and individual freedom.

This is not to say we have come through this period unblemished or unimpaired. An individual or a nation does not indulge in dissipation or abuse of the political and social standards of organized society without suffering injury, or paying a dear price. But, like all other education, the school of experience and hard knocks has no equal. The lessons we learn come dearly but they are well learned.

We Americans are prone to extremes. Our past reveals that during periods of so-called peace we refused to maintain a position of strength and preparedness. In periods of war we go all out in mobilization. Either we have the "national throttle" at dead stop, or full speed ahead. We have seldom been able to obtain what one might call a "cruising speed" in anything we do; despite the fact that the "cruising speed" affords safe passage and long-term durability both in transportation and politics.

We first became aware of the necessity of a strengthened security program only when our nation sensed the perils of Soviet imperialism and Communist subversion.

Revelation of limited Communist infiltration in some of the agencies of government, plus the development of the cold war, the tragic consequences of the Korean War, and the subsequent mobilization of our manpower and resources, brought into sharp focus the objectives of the international Communist conspiracy. Regretfully, but understandably, the American people, after the sacrifices of World War II when the Soviet Union was our ally in battle, were ill-prepared either emotionally or intellectually to accurately appraise or understand the nature of the Communist conspiracy and how to effectively challenge and resist it.

The responsibility for this failure of adequate information and understanding as to the nature of totalitarian techniques and objectives rests squarely upon the government of the United States, the educators, and the political and lay leaders of our society.

The nation became deeply concerned, then terrified with the expose of subversive activities -- and there were and still are those who made a business of seeing a subversive under every bush or book. It was like a community experiencing a plague without adequate medical knowledge as to how to meet the situation. The American community experienced what it believed to be an infectious political disease known as Communist subversion.

Suspicion and fear filled the political atmosphere. The political witch doctors brought forth their panaceas and cure-all treatments and a fearful public responded. Internal security became a matter of even greater concern than the threat of external dangers. Paradoxically, some of the political spokesmen engaged in exposing alleged internal subversion were the very same persons who opposed adequate defense against the aggressive forces of Communist imperialism.

Reason and prudent judgment gave way to expediency and frenzied action. It was out of this sort of political climate that the present government loyalty and security program grew -- a program without plan, without coordination, without continuity. Yes, a program of uncoordinated Congressional enactments, executive orders and regulations that failed to reflect any consistent effort to reconcile the requirements of security with the protection and preservation of basic American traditions, rights and privileges.

I have reviewed this background so that we might have a better understanding of why our present government loyalty and security program operates as it does. In light of this experience we might wonder what will be the pattern of any internal security program if the diplomacy of the "Soviet Smile" and "Diplomatic Finesse" succeeds to a point where legitimate concern gives way to indifference and strength gives way to weakness.

There may be voices raised in this nation -- and well-directed and organized voices -- telling us that a loyalty and security program is unnecessary -- yes, un-American, particularly, when the Soviet Union, according to these voices, seeks peace. Just as we once went overboard rushing pell mell to hastily create an extensive internal security system, we may very well reverse our field and unwisely dismantle any security structure.

It would be a tragic and unforgivable mistake to underestimate the sinister nature and the ever-present threat to free peoples of any totalitarian force.

Surely we of this generation have learned enough about the strategy, tactics, and techniques of the Communist conspiracy to know that it is more than an ideology. It is a powerful political and military force, backed by the strength of the Soviet Empire. That system has never renounced its objectives. The Cominform still exists. The Communist, as we know him has only one supreme loyalty, namely, the Soviet Union.

We must not ignore these facts. Therefore, we have every right to establish an effective and responsible program to assure the American people that those who work for our government are neither disloyal nor unfit for public service.

But, it is equally important that we clearly distinguish between one who is disloyal and one who is unfit for reasons other than disloyalty.

There is a great difference between subversive activities and irresponsibility and incompetence. In too many instances the term "security risk" has become synonymous with disloyalty.

Regretfully, public officials in an effort to seek political advantage have merged these two categories of disloyalty and security risk into one package, leading the American people to believe that the government is extensively infiltrated with subversives -- a conclusion that is false and unwarranted.

Likewise, the present loyalty and security program because of its inefficient structure and administration has accentuated this gross misrepresentation.

The major vice in the present security program is that it contemplates the adjudication of matters of desperate importance to the Government itself, and to the human beings who happen to be employed by the Government, without firm standards and guidelines.

In the security field, it is, apparently, a government of men and not of laws.

It is not enough that the government security program requires that we dispose of the job, the reputation, and the happiness of government employees without giving them a full statement of charges and without permitting them to know, confront, and cross-examine their accusers, but we also entrust the ultimate determination in these cases to human beings who are concededly fallible. The entire structure of Anglo-Saxon law is designed to guard against the uncertainties of human fallibility in matters affecting life, liberty, and property, but in the field of security human fallibility becomes the saving virtue.

We remove from government service those individuals who may be fallible because of indiscretions, bad judgment, or mistakes of the past, but we extoll the virtues of the fallible men who are lucky enough to be the removers.

A word about the men who administer the security program. Theirs is a new profession which has come into being within only the past decade. As a group, they represent one of the most powerful and influential forces within the government itself and within American life generally. They hold in their hands the future economic well-being and personal happiness of millions of Americans, not to mention the strength and safety of our nation.

These are men, we are told, who are expected to assess the intrinsic character and value of human beings in relation to the jobs they hold, and from the standpoint of whether their activities in such jobs are consistent with the national interest. Their function requires not only wisdom, charity, patience, and intelligence but also the professional skills of the lawyer, the social scientists, the social worker, the public administrator and the psychologist, among others.

Do we have that kind of men in the corps of our security officers today? You know the answer. We do not. Most of our security officers today, as I understand it, are alumni of investigative and intelligence organizations. Important as is their function, little in their background trains them to make the kind and quality of decisions which are vitally important to a sound security program. Their training and background in all too many instances is in the fight against evil. They are trained to look for evil, for the worst and most evil implications of every situation. Most of what these security officers have been doing has been shrouded from public view so it is not possible to assess and evaluate their competence. But, occasionally their handiwork has blossomed forth into public view as in the Chasanow or Ladejinsky cases, and what we have seen in such cases does not inspire universal respect or confidence.

As pointed out in the Hoover Commission's Task Force report on personnel and civil service, security determinations are not sufficiently judicial in character to make for valid decisions, and there is fear that honest and loyal employees can be destroyed by unsupported or trivial charges, that security officers can be stampeded and that security charges sometimes mask political removals.

There is a very grave danger of establishing within the government service a corps of security officers whose affirmative qualifications for this important job are questionable and who generally lack the qualifications which thoughtful people might think they should possess. We are well aware of the tendency of bureaucracy to perpetuate itself. We can, on the one hand, rejoice in the knowledge that the job of security investigation, and clearance of incumbent employees is almost completed and that, very shortly, the security function will be concerned primarily with applicants.

I should now like to talk about the manner in which the security program has been administered, discussing with you certain symptoms which strongly suggest that operation of the program is not all it should be.

If we are to rely upon the public statements of the government officials with primary responsibilities in connection with the operation of the security program for evaluation of the operation of the program, we would be forced to accept the view that the security program is operating smoothly and serenely, without necessity for substantial improvement. Assistant Attorney General Tompkins, who is in charge of the Internal Security Division of the Department of Justice, the Division which apparently has basic responsibility in connection with the security program, tells us that the program itself is sound, and that difficulties revealed in publicized cases of the past several months have not been caused by basic defects in the Executive Order, but rather are merely "a result of administration". He agrees that the

security program to date has not been perfect, but minimizes the significance of this lack of perfection by pointing out that "even courts of law make erroneous decisions."

I am tempted at this point to dwell at length on the analogies, or lack thereof, between security proceedings and judicial proceedings, but I shall restrain myself.

The chairman of the Civil Service Commission, who also has important responsibilities under the Executive Order, tells us that in his view "the application of this program, in terms of uniformity and equality of decision that has been made, has been excellent." He thinks that the program has gone "exceedingly well."

Indeed, the security program has been running so well, in the view of certain government officials, that public criticism and scrutiny of the program are taboo, superfluous, and unpatriotic. Those who criticize details of the present program or urge improvements have been linked by supposedly responsible government officials with the Communist effort to hamstring security.

Is the program as good and as well administered as we are lead to believe in the self-satisfied assurances of our government officials? I think not.

I am being a little inaccurate when I say that I am discussing "the security program". There is no security program, but only a mass of security programs -- as many programs as there are agencies. There is no uniformity, no real coordination. It is true that all of these programs operate under a uniform standard, uniform categories of derogatory information, and so-called "minimum standard" procedures. But all of these are so vague as to be meaningless, and in actual practice there are almost infinite variations.

Does not a gulf of almost infinite breadth separate the security standards of Scott McLeod of the State Department who reviewed the Ladejinsky case file and saw no question of security risk, from the standards of his counterpart in the Department of Agriculture who reviewed the same file and saw a dangerous degree of security risk?

Adding to this confusion is the subsequent retraction of the Secretary of Agriculture and his apology to Mr. Ladejinsky. Despite the apology and the retraction, the record still labels Mr. Ladejinsky as a security risk. Yet, he is stationed in South Vietnam doing work of the most sensitive and vital nature.

Does not a gulf of almost infinite breadth separate the security standards of the Assistant Attorney General, who is primarily responsible for interpretation of Executive Order 10450 and who says this order does not apply to occupants of non-sensitive positions concerning whom there is derogatory information as to character and habits, from the security standards of numerous other agencies of the government who have consistently exercised the authority of Executive Order 10450 in dismissing such non-sensitive employees because of derogatory information about character and habits?

The divergencies in actual procedures are even more striking. It is almost incomprehensible to me how anyone can say, as did the Chairman of the Civil Service Commission, that there is "relatively uniform application" in the security program. It is not completely incomprehensible because, if I learned anything at all in our hearings, it is that no one in Government really knows or is sufficiently interested in what is going on in the security program beyond the point of his own nose. Every official wraps himself up in his own security responsibilities, defined as narrowly as possible, and chants the virtues of the status quo even though he is wholly unable to justify it and does not even understand it.

It is readily apparent that the security program under Executive Order 10450 is being administered without genuine coordination or uniformity. I must confess that after several days of hearing representatives of the executive branch testify on this problem, I was completely unable, despite diligent effort, to find out what if anything is being done about coordination. The Department of Justice suggested that the Civil Service Commission is the principal coordinator. The Civil Service Commission suggested that the Department of Justice was primarily responsible for coordination. The Department of Defense apparently thinks that both the Civil Service Commission and the Department of Justice have substantially equivalent roles in this regard. In fact, the chairman of the Civil Service Commission was able to give the Subcommittee considerable information about what the Assistant Attorney

General is doing in the area of coordination that we were unable to extract from the Assistant Attorney General himself. There is no doubt that coordination is the top secret of the security program.

I detect reflections of this lack of coordination, uniformity, and consistency in some of the fragmentary statistics which have become available concerning operation of the security program. Although I am not a very good statistician, I think my statistician friends will agree that in a universe of two million Federal employees, subject to the security program, scattered among some 60 or 70 agencies of government, there ought to be some statistical correlation or pattern apparent. Available figures reveal no such pattern. The best statistics available are those of the Atomic Energy Commission, which is generally regarded as having both an enlightened and effective security program. The AEC has completed since 1946 approximately 504,000 full background investigations conducted for it, the bulk of which were for applicants for AEC employment or security clearance. The AEC reports that only 494 or just about 0.1% were actually denied clearance.

We may compare these figures with analogous data reported by the Department of State indicating that the State Department denies employment on security grounds to approximately 1.45% of all applicants investigated. This means that the Department of State denies security clearance in a larger percentage of cases than the AEC finds even raise a security question.

There are other interesting statistics. The Foreign Operations Administration, which has two-thirds as many employees as the United States Information Agency, reports that it has fired 184 employees for security reasons between May 28, 1953, and September 30, 1954 as compared with the United States Information Agency's report that only two employees have been fired for this reason within the same period.

Similarly, the Department of Interior which employs approximately 50,000 employees reports that it has terminated 140 employees for security reasons, while the Department of Agriculture with 70,000 employees reports that it has fired only 102.

It is difficult to find a shred of statistical correlation among the various agencies with respect to the relationship between total employment and total security dismissals.

A similar absence of correlation is to be found in the relationship between the number of employees, listed as removed for security reasons and the number of employees who are listed as having resigned before a security determination was made in cases known to involve derogatory information. For the government as a whole, for the period May 28, 1953, to September 30, 1954, it is reported that 3,002 employees were fired for security reasons, while 5,006 resigned before security determination was completed where derogatory information was in the file. The Foreign Operations Administration reported that seven times as many employees were fired as resigned. The State Department, on the other hand, reported that 46 times as many employees resigned as were fired.

If these figures have any meaning at all they must be regarded as indicating an astonishing variation in the resolution of security cases among the various agencies and departments. It is astonishing also that the chairman of the Civil Service Commission, under these circumstances, could say that "There has been relatively uniform application."

Yes, I am concerned that responsible officials of the United States Government have evidenced too little interest in or concern over obvious danger signals such as these statistical data and other evidences of poor administration of the security program. The greatest tragedy of the security program is that these officials close their eyes to the facts and to constructive criticism, and defend the status quo blindly, almost as a reflex action.

Nor is the answer to the criticisms of the security program, or to the obvious deficiencies which are found in it, to say that the security program does not stigmatize government employees who fail to meet its tests, to say that an individual has no right to government employment and should, therefore, be grateful for the scraps of procedural privileges thrown to him, and to say that security proceedings are administrative in nature and not "judicial" or "adversary" proceedings. These are the shibboleths of the security program. They are demonstrably false. I regret that times does not permit me to go into the demonstration of their falseness. Suffice it to say, the security program has a profound and lasting effect upon the individuals subject to it over and above the immediate effect upon their employment by the government.

Individuals who fail to meet the tests of security are subject to very substantial deprivation. A responsible government should exercise extreme caution, judgment, and restraint in imposing such deprivations upon its citizens, even in the name of national security. I must report with sorrow that I have seen no indication that the officials presently responsible for conduct of the security program have adequate appreciation of the responsibility of our government to its citizenry in security matters.

It is because of these observations that I introduced in the Senate on January 18, 1955, Senate Joint Resolution 21. I had as my co-sponsor the Junior Senator from Mississippi, Mr. Stennis. This resolution called for the establishment by the Congress of the United States of a special commission to study the government loyalty and security program.

I am sure that you all know that after weeks of hearings and many more weeks of executive sessions and debate in the House and the Senate this resolution was adopted.

This commission will consist of twelve members. It is equally bi-partisan, or should I say, non-partisan. It is directed to study all phases of government security programs and procedures and to submit appropriate recommendations. The President will appoint four members to the Commission, two from the Executive branch and two from private life. The President of the Senate will appoint four members, two from the Senate and two from private life, and the Speaker of the House will do the same. The Commission will, on the basis of this study, submit reports and recommendations. It is to be clearly understood that the security problem is not only one of reassurance that our citizens are fairly and justly treated in their dealings with the government in the field of security. Equally important is that we have a security measure which will effectively protect that national security.

There is little doubt in my mind that the present security regulations are not affording our nation an effective security protection.

Furthermore, individual rights and privileges are being violated. A security program which fails to command the confidence and respect of the government employees, which repeatedly abridges or ignores long accepted and honored standards of due process of law, cannot succeed in providing maximum security for a freedom loving nation.

There is an urgent necessity to restore the faith of the American people in the protections extended by the Constitution and the Bill of Rights and eliminating for once and for all from our thinking the acceptance of "guilt by association".

The enlarged purpose of a loyalty security program is to protect the national security, to enhance the country's strength and power. In times such as these, a nation's strength can no longer be measured solely in terms of industrial output, planes, tanks, bombs, armies, navies and defense production secrets.

The real strength of the nation depends in a great measure on creative ideas and the respect for and dedication to established traditions and heritage of western civilization.

The free and open mind has been our nation's most powerful resource. Yet, it is this very resource of freedom of inquiry, academic freedom, the right to dissent, and be different, that has been under severe attack. The word "intellectual" has been used as a rallying cry for the bullies in our society.

Some people seem to have forgotten that liberty means freedom of choice, not only in the market place of commodities, but in the market place of ideas. All too often new ideas and unorthodox expressions have been labelled suspect. In far too many instances there has been a failure to distinguish between disloyalty and non-conformity. The failure to do this is to violate the letter and the spirit of every democratic principle.

It is a basic and undeniable fact that in these difficult times, when democracy has so much at stake, we need to be more zealous and vigilant than ever before in the preservation of the principles and the faith that has made possible a free society.

But eternal vigilance is more than just a catch phrase. It is a mandate, a responsibility and a duty of a free citizenry. Eternal vigilance requires more than effective apprehension of those who would engage in conspiratorial activity. It is more than a call to arms. It requires the building of a just, a free, and strong political and social structure.

Internal security, likewise, is more than counter-espionage and the rooting out of subversives. It is internal health, a harmonious relationship between the elements of society. It encompasses an expanding economy that offers opportunities for all people -- a government of the people, but a government of law administered fairly.

Yes, internal security requires faith and trust in one another -- a relentless struggle against prejudice and bigotry -- the guarantee of equal and fair treatment for each and every citizen.

It is this part of internal security that is all too often over-looked.

A society that is healthy in terms of its political, economic, and social institutions is one which, by its very nature, can successfully resist subversion.

What we need if we are to remain a land which is both free and brave is more great men to accomplish more great things. And this greatness must be of the mind and the spirit and not merely of the voice or the strong arm.

But the mind and the spirit do not produce great deeds or great philosophies when the mind and the spirit are surrounded and intimidated by an atmosphere of fear and suspicion.

It is our present day responsibility to re-assert our belief in the dignity of man -- in freedom of conscience -- and in human brotherhood.

These are the articles of faith of free men.

These are the moral principles that have given inspiration to the creation of government by the consent of the governed -- of justice under law.

Anyone who violates these articles of faith stand guilty of being the real traitors, the subversives, and the disloyal.

For it is on these principles that the American Republic has been founded. It is around these principles that the glories of western civilization have been achieved.



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