

City Desk, Wash Star (2)

FOR FUTURE RELEASE: A.M. Papers  
Friday, May 30, 1952

Federation of American Scientists  
5/28/52 1749 L Street, N.W.  
A-927 Washington 6, D.C.  
National 5818

PAULING APPLIES AGAIN FOR PASSPORT

Washington, D.C., May 30 — The Newsletter of the Federation of American Scientists revealed today that Linus Pauling, internationally known theoretical chemist and Chairman of the Departments of Chemistry and Chemical Engineering at the California Institute of Technology, has reapplied for a passport twice refused in recent weeks. The new application was accompanied by direct appeals to President Truman and Secretary of State Acheson.

Details are contained in the attached copy of the FAS Newsletter for May 30.

(30)

The FAS Newsletter, published ten times annually, is edited and published in Washington, D.C., by the Federation of American Scientists — a nation-wide organization of scientists concerned with the impact of scientific developments on the national and international scene. The FAS was actively concerned with the passage of the Atomic Energy Act of 1946, which is the basis of the atomic energy program of the United States. International control of atomic energy, passport and visa problems, and the National Science Foundation are some of the issues of current interest to the Federation.

Recently elected chairman of the Federation of American Scientists is Jules Halpern, Professor of Physics at the University of Pennsylvania.

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# F. A. S. NEWSLETTER

FEDERATION OF AMERICAN SCIENTISTS  
Jules Halpern, Chairman

1749 L Street, N.W., Washington 6, D.C.  
May 30, 1952 -- No. 52-5

## DAMAGE FROM U.S. TRAVEL RESTRICTIONS GROWS

### PAULING APPLIES AGAIN FOR PASSPORT

Linus Pauling, internationally known theoretical chemist twice refused a passport in recent weeks (N. Y. Times, May 12), has reapplied to the State Department for sanction to attend a scientific meeting in England. In letters to the President and Secretary of State on May 16, Pauling reasserted his belief that "denial of a passport to me would do damage to the U.S." by alienating the opinion of his wide circle of acquaintances among distinguished British scientists. He cited, in confirmation, a letter to the London Times (May 5) from Sir Robert Robinson, past president of the Royal Society, expressing "surprise and consternation" at "the drastic action taken by the American authorities in this and several similar cases (e.g., that of Dr. E. B. Chain)."

### CONTROVERSY HEIGHTENED

By making his difficulties public, Pauling revealed what has for some time been known privately -- that major scientific figures are being denied the right to foreign travel. He thus added new fuel to the controversy over recent restrictions on international travel under the McCarran Internal Security Act.

Pauling's new application is to spend about a month in England this summer to present an invited paper before the Faraday Society and for other "purely scientific purposes." In a second direct appeal to the President, Pauling expressed his conviction that "refusal of a passport to me... would constitute the unjustified interference by the Government not only with the freedom of a citizen, but also with the progress of science." He asked that "if my present request for a passport be denied I be provided with a statement of the reason for the action."

In an earlier statement, in which he announced the second refusal of his original request, Pauling said he was informed that the decision had been made "because of suspicion that I was a Communist, and because my anti-Communist statements have not been sufficiently strong." Asserting that he had never been a Communist, the Cal. Tech. chemist pointed out that in recent years, his work on the theory of resonance in chemistry was banned in the Soviet Union (see NL 52-3) and added, "The action of the State Department... represents a different way of interfering with the progress of science."

### SCIENTISTS PROTEST

Calling Pauling "one of the most prominent and inventive scientists in this country," Professor Albert Einstein on May 21 wrote to Secretary Acheson that "to make it impossible for him by governmental action to travel abroad would -- according to my conviction -- be seriously detrimental to the interests and reputation of this country."

Thirteen members of the Florida State University chemistry faculty recently announced that they have  
(Continued on Page 4, Column 1)

### PSYCH MEETING MOVED TO CANADA

Latest refugee from the McCarran Internal Security Act of 1950 and the Visa Division of the State Department is the American Psychological Association. Instead of inviting the International Congress of Psychology to meet with them in New York in 1954, the APA will journey to Montreal and join Canadian colleagues in playing host to the Congress. The avowed reason for the shift is to spare the expected 600 foreign scientists from the humiliating and paralyzing delays which they might meet in attempting to enter the US.

### APA ATTACKS McCARRAN ACT

Commenting on the move, Fillmore H. Sanford, APA executive secretary, sharply attacked current US official attitudes as "visaphobia." "I think," Sanford said, that "what scientists object to most in the McCarran Law is the fact that it uses an axe in dealing with a problem that needs a razor-sharp approach. The law causes trouble to all foreign scientists who are invited to this country. In effect it prevents a visit from any scientist -- however brilliant his ideas -- who has ever had any connection for any reason with any group that now is 'suspicious.' Foreign scientists regard this indiscriminate procedure as both ludicrous and dangerous. American scientists see it as a threat to the healthy growth of American science and as a legalized attack upon freedom of communication."

### EDITORIAL COMMENT

The Washington Post on May 5 and 20 added its editorial voice to the growing protest against US visa policies. Commenting (May 5) on the FAS Visa Committee report, the Post observed that "the harsh fact of the matter is that the US is getting to be, like Russia, a place where international meetings can no longer be held. Too many eminent men who belong at such meetings are excluded by the McCarran Act."

The newspaper went on to say that top State policy officials have "tried to temper the McCarran Act's rigidity with reason and to institute some semblance of expeditiousness into the handling of visa applications. But they appear to have been thoroughly frustrated by the indifference -- not to say the hostility -- of the Visa Division. The policy there seems to be to keep all applicants out by sheer neglect of their applications. Men who construe exclusion as the sole key to national security are unlikely to understand the importance of bringing the best available brains into the country to help with scientific research."

### VISA STATISTICS

The magnitude of the visa problem created by the McCarran Act is indicated in testimony of the Chief of the Visa Division before a subcommittee of the House Appropriations Committee. H. J. L'Heureux reported that backlogged visa cases jumped from 651 in mid-1950 to 6,617 in mid-1951. By the end of 1951, the figure stood at 9,187.

## FAS asks New BW Statement

Biological warfare, and the charge of its use by US forces in Korea, continues to be a major issue in the US-USSR propaganda war. Both within the Soviet Union and in left-wing publications throughout the world, the charge is being repeated by individuals high in political and military circles. The purported evidence is claimed to have been examined and endorsed by medical and scientific authorities, some trained at French, British, and American universities. To cap it off, the North Korean radio, on May 4, claimed that two captured American airmen had confessed to dropping BW bombs last January 13.

**RENEWED US DENIALS** Against this is the flat and vigorous denial by US authorities that BW has been used in Korea. On May 17, Defense Secretary

Lovett said that anyone making this charge "lies in his teeth" and suggested that the Communist charges may be a prelude to their own use of BW. "The moment they get into that sort of thing," he said, "they open a vast area which the decent world has abstained from." The Secretary's position was seconded on May 22 by Gen. Ridgway.

**FAS STATEMENT** These renewed high-level denials came after the FAS Council, in a press release on May 5, had called for "a new and clearer statement on the extent and purposes of the US biological warfare program." The Council saw such a statement as necessary "to combat the effects of recent Soviet charges of use of BW weapons by UN forces in Korea." Approving the efforts of US representatives to obtain an impartial on-the-spot investigation, the Council nevertheless pointed out that the effectiveness of the Soviet charges in influencing world opinion is not "wholly dependent on their accuracy."

"The question raised in the world's mind is not so much whether we did use BW in Korea, but whether we are in fact prepared and willing to use it in the future," the Council said. "The question is given point by US official statements that we are developing BW weapons, and by recent reports that the Defense Department is seeking funds for expansion of its BW program, possibly including mass production of actual BW agents."

The Council urged that a new US statement, "as a minimum, emphasize that the US government is willing and anxious to conclude with other governments an agreement formally repudiating any use of biological warfare under arrangements ensuring that the repudiation will be effective."

Recognizing that full guarantees against the threat of BW are impossible except in the framework of more general political and disarmament agreements, the Council regarded its minimum recommendation as essential to remove "any doubt that, should war be forced upon them, the American people have no intention of introducing biological weapons into the world's already terrifying arsenal."

**POSSIBLE U.S. POLICIES** In discussion prior to approval of its statement, the Council weighed several conceivable US positions on BW:

- 1. Unilateral renunciation of BW, with cessation of all research.
- 2. Continued research for defensive purposes governed by a unilateral declaration that BW attacks would not be conducted under any conditions.
- 3. Continued research but with a unilateral declaration that BW attacks would never be conducted first by the US.
- 4. Continued research with no unilateral declaration on

BW use, but with intensified and well-publicized US efforts to achieve effective international agreement regulating BW.

**RELEVANT FACTS AND OPINIONS** In evaluating these alternatives, the Council considered the following facts and opinions offered by delegates:

1. Because of its nature, BW research is largely inseparable from public health research. The most effective defense against BW is a strong public health organization.

2. Research on defensive BW requires research on offensive BW, since counter-measures are frequently highly specific for each potential BW agent.

3. Large-scale production and stockpiling of BW agents does not appear necessary for either defensive use or research and hence is interpretable as preparation for BW attack or counter-attack.

4. Since it has not yet been used on any significant scale, the potential of BW as an actual weapon of war is assessable only with difficulty, particularly with the security now surrounding it. Its threat would appear to be greatest where public health conditions are poor, which means particularly in underdeveloped areas where the US-USSR propaganda battle is most intense.

5. The effects of BW are likely to simulate and intensify disease tendencies already existent in a population and hence charges of an attack are difficult to disprove.

6. Effective inspection and control of BW, if possible at all, would involve measures at least as demanding of international cooperation and good-will as those for atomic control. It is unlikely, therefore, that agreements giving mutual security against BW can be reached without general political easement and a framework of general disarmament.

7. Nonetheless, the moral and emotional components of BW are so large that our attitudes toward it can importantly influence not only the world's opinion of our objectives, but our objectives themselves.

**MEMBERS' VIEWS SOUGHT** With these considerations in mind, the Council adopted the minimum statement summarized above and directed that discussion by the membership be encouraged, with the hope that a more detailed and specific statement can be formulated at the Council meeting next fall. All members are asked to fill in and return to the FAS Office the questionnaire on page 3. Opinions in full are also solicited.

## WHO KNOWS ? -- an Open Letter

Is the AEC program operated efficiently? Are our national resources and scientific manpower being utilized in the most advantageous way? Could private industry develop industrial atomic power faster?

Roland Sawyer asks such questions in "an open letter to atomic scientists," (Christian Science Monitor, May 8). Aware of security restrictions, Sawyer still decries the lack of constructive criticism from atomic scientists who are experts on these specialized matters. Their silence in the public press, says Sawyer, may be because they "do not realize the latitude that is open... or...don't know how to get their criticisms published."

There was hope for some answers from the series of public hearings the Joint Committee on Atomic Energy announced would begin on April 16. These hearings -- to star Dean, Bradley, Acheson, and "distinguished scientists" -- have been postponed indefinitely so far as is publicly known.

Meanwhile, the Monitor's questions are fair and should be answered. Does FAS accept the challenge?

## Should FAS Seek Stronger UN ?

Should efforts to achieve a stronger United Nations be added to the program of FAS? This question was forcefully raised at the Washington Council meeting by John Toll of Princeton. After some debate, it was deferred to allow general discussion by the membership. Contributions on the subject are solicited and will be published in the Newsletter as space permits.

**PRO** -- Those who argued affirmatively said, in brief, that: (1) Effective international atomic control, disarmament, and a stronger UN are inseparable issues and all are stated or implied in basic FAS objectives. (2) The time is ripe for action, since US disarmament proposals are still in the formative stage and circumstances are forcing the US to expand and particularize its proposals. (3) Under the UN Charter, consideration of amendment of the Charter is automatically on the agenda in 1955 and preparatory work on US proposals for amendment should begin now. (4) Including support of the UN on the FAS program could recapture and enliven the interest of many FAS members.

**CON** -- Negative arguments were along two general lines: (1) FAS has earned and maintained its reputation by acting in areas where the opinion of scientists as a group are especially pertinent. Members specifically concerned with strengthening the UN can better work through organizations which are attacking the more general problem. (2) FAS should hesitate to endorse one particular solution, placing its emphasis on "openness" and "enforceable world law," regardless of the means.

**CT ON LEGISLATION ?** Pending in Congress are 18 resolutions and bills favoring a stronger UN and 4 opposed. One of the first group, House Concurrent Resolution 64, drew generally favorable comment from Council delegates:

"Resolved, That it is the sense of the Congress that it should be a fundamental objective of the foreign policy of the US to support and strengthen the United Nations and to seek its development into an organization of such defined and limited powers as are essential to the enactment, interpretation, and enforcement of world law to prevent aggression and to maintain peace."

Extensive hearings on a similar resolution were held in the 81st Congress. Despite a very large list of sponsors and wide public support, the resolution never reached the House floor.

On the opposite side, hearings are now being held on Senate Joint Resolution 130, introduced by Bricker and 57 other Senators. It would initiate a constitutional amendment to declare treaties (such as the UN Charter and therefore its actions) secondary to US national and state laws, rather than coequal as at present.

**"UP-DATE" AIMS OF FAS ?** Another suggestion was to revise and "modernize" the preamble to the FAS Constitution. Incorporating specifically the objective of strengthening the UN would signalize opposition to the growing anti-international sentiment in the US and encourage the various organizations working for world order. Delegate David Hill, of Vanderbilt, proposed revision of FAS aims to place greater emphasis on: (1) "openness" as an essential principle on which progress toward world cooperation must be based, and (2) recognition of the logical development of our society in the direction of enforceable world law.

## A-CONTROL -- New Look ?

The mounting international armaments race, unchecked by progress towards international control, spurred FAS (see NL 52-2) to urge appointment of a special commission to take a new look at control possibilities under present conditions. On April 28, Secretary Acheson announced the formation of a "panel of consultants to advise and assist...the Government in connection with the work of the UN Disarmament Commission."

The panel is composed of five prominent citizens: Vannevar Bush (Carnegie Institution of Washington), John Dickey (President, Dartmouth), Allen Dulles (Deputy Director, Central Intelligence Agency), Joseph E. Johnson (Carnegie Endowment for International Peace), and J. Robert Oppenheimer (Institute for Advanced Study). Full-time "secretary-field worker," according to the Alsop brothers (May 21), is McGeorge Bundy, young Harvard government professor and Stimson biographer.

In setting up the panel, State Department policy-makers, say the Alsops, "did not hope for important results, but thought a try had to be made for the look of the thing abroad." News that the meetings of the UN Disarmament Commission seem to have become an arena for propaganda only underscores the importance of the new panel. Its deliberations must be swift but deep, and its recommendations should go directly to policy-makers at the highest level. It should not be the purpose of the panel to merely give a new look to our diplomacy. A more difficult but essential task is finding an active and fruitful new approach that can dissolve the present stalemate.

### Please Clip and Mail to FAS

This issue of the FAS Newsletter has been designed to be easier on the eyes -- with a sacrifice of about 25% of previous lineage. Since the NL represents an annual expenditure of some \$600 and much effort by volunteers, it should conform to members' desires. Your opinions on the NL, and on BW policies (p. 2), will greatly help in keeping FAS activities close to the wishes of its members. Returns will be summarized in the next NL. -- Ed.

- NL**  The NL is a worthwhile FAS investment.
- The format of this issue is distinctly preferable to that of previous ones.
- The lineage lost in this issue should be made up by addition of another page increasing NL costs by about a third.
- [Indicate yes (+), no (-), no opinion (?).]
- BW**  is the alternative on p. 2 which comes closest to what I believe should be the basis for US policy on biological warfare.
- [Insert alternative number or indicate no opinion (?) or belief that no further FAS action is desirable (0).]

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Pauling (Continued from Page 1).

formed a Florida Committee on Science and Public Affairs to mobilize opinion in protest against State Department action in the Pauling case and similar ones "which have hindered the conduct of international scientific meetings held in this country recently."

STATE EXPLAINS

The State Department on May 24 issued a statement explaining its authority and procedures in granting passports. Reviewing legal decisions and precedent, it found basis for its powers in "the exercise of the Presidential authority to conduct foreign relations and as a matter of statutory law." It pointed to legislation (McCarran Act) and judicial decisions (in the case of the 11 Communist leaders) asserting that Communists are participants in a conspiracy which constitutes a "clear and present danger to the United States" and which is furthered through international travel. Therefore, since February 1951, the policy has been followed that "it would be inappropriate and inconsistent for the Department to issue a passport to a person if information in its files gave reason to believe (italics in original) that he is knowingly a member of a Communist organization or that his conduct is likely to be contrary to the best interests of the U.S."

The Department maintained that any applicant who is refused a passport is usually informed "in a general way" of the nature of the evidence and information against him and "has every right and is given every opportunity to request further consideration of his case and may present any evidence or information which he may wish to have considered." It asserted that the consultations which take place "between officers of the Passport Division and officers of other divisions of the Department and with the Foreign Service abroad, in effect, constitute in a given case a most fair and comprehensive board of review action."

McCARRAN ACT IMPLICATED

Recent testimony before the House Appropriations Committee made clear the close connection between the McCarran Act and recent passport policy. The Act makes unlawful issuance of passports to Communists or members of "Communist organizations." Compilation of a list of such organizations is entangled in court proceedings. Said Mrs. Ruth Shipley, Chief of State's Passport Division:

"So without the fundamental list [of members of Communist organizations], which would make our work much easier, we are endeavoring to carry out the spirit of

the act by applying the information which we have from the various intelligence agencies of the Government and our own records relating to Communists. We have done quite a good job of it. We have stopped a good deal of travel. There have been over 200-and-some-odd passports which were refused...We have handled 199 cases abroad, and we still have 251 cases active abroad where we are trying to eliminate the passports and bring the people home, because they are actively engaged in work against the interests of our Government."

PASSPORT CONTROL CHALLENGED

The arbitrary power to grant or deny passports has been challenged in a suit brought recently before the Federal District Court in Washington. The American Civil Liberties Union is sponsoring the case in behalf of Miss Anne Bauer (see NL 52-3), a naturalized citizen now living and working in France as a free-lance writer. Miss Bauer is asking for an injunction and a court declaration that the regulations under which the State Department acted (passport provisions of the McCarran Act) are unconstitutional.

Commenting on the Bauer case, the Washington Post said editorially on May 13, "The courts have already held unequivocally that administrative agencies may not take away a bail bondsman's license or an automobile driver's license, or even a license to sell beer, without a hearing. Certainly there ought to be a hearing in any case involving the revocation of a license to travel."

SCIENCE FOUNDATION NEWS

APPROPRIATIONS A recommendation for the 1952-53 NSF appropriation is expected from the Senate Appropriations Committee this week. The bill will then go to the full Senate and eventually to conference with the House -- which several months ago slashed the President's request from 15 to 3.5 million dollars.

APPOINTMENTS The terms of 8 members of NSF's first National Science Board expired May 10. The President has reappointed and the Senate has confirmed all 8 for full 6-year terms. The Board has 24 members, 8 terms expiring in each alternate year. Those reappointed are: Aberle, Barnes, Barnard (Chairman), Bronk (Executive Committee Chairman), Cori, Dollard, Loeb, and Potter.

F A S NEWS LETTER

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