

# F. A. S. NEWSLETTER

FEDERATION OF AMERICAN SCIENTISTS  
David L. Hill, Chairman

1749 L Street, N.W., Washington 6, D.C.  
May 18, 1953 -- No. 53 - 5

## FAS COUNCIL ASKS U.S. SCIENCE POLICY CLARIFICATION

### FINAL OUTCOME OF ASTIN AFFAIR PENDING

Public furor over the "Astin Case" has quieted since Secretary of Commerce Weeks' temporary reinstatement of A. V. Astin as Director of the National Bureau of Standards. Pending are studies by two special committees -- the Kelly committee to examine the functions and operations of NBS, and a special National Academy committee, apparently not yet requested formally by Weeks, to appraise the quality of the Bureau's work with respect to battery additives. A third group, the Bureau's statutory Visiting Committee, is considering the question of a replacement, if any, for Astin.

**REACTIONS CONTINUE** Continuing concern among scientists is evidenced by new resolutions by technical societies such as the National Academy of Sciences, American Geophysical Union, American Physical Society and the Physical Society of Pittsburgh. The APS Council called for an "authoritative statement...that [objective investigation free of political pressure] forms the rule of ethics for scientists in Government service and that no scientist will be penalized for adhering to them."

Hans Bethe, speaking to an overflow FAS open meeting in Washington April 30, spoke strongly along the same lines but also cautioned that patience and the avoidance of rash action are important. "This thing which started so inauspiciously with an attack on the integrity of science may end up with a clear-cut statement upholding all the things that we hold so dear." Discussants from the floor included Jess M. Ritchie, AD-X2 manufacturer, E. U. Condon, former NBS director, and Lee A. DuBridge, Amer. Inst. of Physics representative on the Kelly Committee.

**LEGISLATIVE REMEDY** Meanwhile, Rep. Hyde (R, Md.), among whose constituents are many NBS scientists, introduced a bill (H.R. 5043) to reconstitute NBS as the "National Physical Sciences Laboratories," independent of the Dept. of Commerce. The bill has been referred to the House Committee on Interstate and Foreign Commerce. Its future will likely depend on what is recommended by the Kelly Committee.

**GOVERNMENT CAREERS** The Astin Case, in certain of its aspects, exemplifies a problem arising throughout the federal government. The right of a new administration to put its own men in top "policy-making" jobs generally is conceded. There is widespread disagreement, however, whether this should include the directors of technical bureaus. In the Interior Department three career bureau heads, with from 24 to 40 years' federal service, have been or are being removed -- Marion Clawson, director of the Bureau of Land Management; Albert Day, director of the Fish and Wildlife Service; and John J. Forbes, director of the Bureau of Mines. While these bureaus, unlike NBS, do have certain regulatory functions -- e.g., mine safety and game laws -- their primary emphasis is said to be on technical problems for which a capable career service is needed.

The test for the retention of conscientious career men as technical bureau heads, expressed by the President in his Apr. 23 press conference, is evidence of willingness to carry out the policies of their department heads. The President strongly opposed the removal of such officials for partisan or personal reasons. There have been no specific charges that Astin, Clawson, Day or Forbes opposed policies of their Department Secretaries. The Washington Post (Apr. 26) noted that "Cabinet members are expected to carry out the President's policy of protecting specialists in the career service as conscientiously as bureau heads are expected to carry out the policies of their chiefs."

### BROAD SCIENCE POLICY CHANGE ?

The call by the FAS Council on May 2 for clarification of the Eisenhower administration's attitudes toward government relations with science arose partly out of the Astin controversy, and partly out of widespread rumors -- and a number of straws flicking significantly in the wind -- suggesting moves to reduce government support of research and to transfer important activities from government to industry. The gist of the Council's discussion follows: In scientific endeavor, government is a key member of a triumvirate, together with academic science and industry. Each has a vital and peculiar role to play -- that of government is particularly to develop and further national policy and to support those areas of science beyond the capacities of the other two partners, either because of the costs involved or because immediately practical results are not foreseen.

**EFFECTIVENESS VS. ECONOMY** The present uncertainty is reducing the effectiveness of vital research programs, the Council noted. Congressional efforts to cut government expenditures, always an unsettling factor in government operations, are heavier this year than usual and further complicate the picture. It is at the moment almost impossible to tell how the national research budget will look in the coming year.

The National Bureau of Standards continues to be a kind of bellwether. Already buffeted by the directorship squabble, it found that the House had cut its request for fiscal 1954 from \$9.1 million to \$6.4 million, nearly \$2 million less than it has in the current fiscal year. Compounding the Bureau's plight are indications (Washington Post, Apr. 24) that transfer funds from the Defense Dept. -- in recent years more than four times the direct NBS appropriation -- face possible reduction after June 30.

**NSF BUCKS TREND** The National Science Foundation appears to be faring somewhat better. For the first time in NSF's short history, both Congressional appropriations committees have recommended increases over its current budget. The House first approved \$5.7 million, and the Senate, having the benefit of more specific administration advice, set \$10 million. It appears probable that the compromise figure will be nearly double NSF's present funds (\$4.75 million) though still considerably below its authorized limit of \$15 million. A bill (H. R. 4689) to raise that limit, sponsored by Rep. Wolverton (R, N.J.), was reported out of the Interstate and Foreign Commerce Committee on May 11 and awaits Rules Committee approval to go before the House. The identical Smith-Aiken bill (S. 977, see NL 53-3) is still pending without action in the Senate Labor and Public Welfare Committee.

Something of what will be in store if budget-slashing gets out of hand is indicated in remarks of T. H. Johnson, Director of the AEC Division of Research, before the Am. Phys. Society on Apr. 30. He noted that AEC support was acknowledged in 94 out of the 123 contributed papers on the Society's program dealing with cosmic rays, mesons, neutron physics and nuclear reactions.

"Present difficulties require a statement from [President Eisenhower] which makes clear that: (1) the integrity and objectivity of government scientific operations will continue inviolate; (2) the tenure of office of government scientific and technical personnel at all levels will be dependent upon their professional performance alone; and (3) government will continue to encourage by policy and financial support a high level of scientific productivity."

-- from FAS Council Statement, May 2, 1953

## NEW FEDERAL SECURITY PROGRAM

The public reception given President Eisenhower's Security Order of Apr. 27 ranges from enthusiastic welcome to editorial predictions of the return of the Spoils System and the anarchy of "J'accuse." For the present, the actual effects of its operation are thoroughly equivocal. The answer to all questions seems to be that good faith will be required on the part of everyone connected with its administration if the order is to accomplish -- and be limited to -- its stated objectives "that all persons privileged to be employed in the departments and agencies of the Government shall be reliable, trustworthy, of good conduct and character, and of complete and unswerving loyalty to the US" while still ensuring "that all persons should receive fair, impartial, and equitable treatment at the hands of the Government." On paper, the administration appears -- in an effort to protect itself against harassment by the McCarthy-Jenner-Velde set -- to have let down the bars for what the Washington Post calls "several new abuses."

**BROADENED CRITERIA** The program is essentially an extension of the earlier Truman one, rather than a new departure. Security checks are now to be mandatory for all Government employees (including consultants), not just those in "sensitive" agencies. Jobs are classified into non-sensitive and sensitive; all the latter, including also those previously investigated, draw a full FBI field investigation. The criteria of "security risk" are greatly broadened. Some of these are generally agreed to be reasonable grounds for dismissal from government service -- involvement or association with sabotage, espionage, treason or sedition (all undefined) or with subversive organizations or individuals. But also included are mental disorder, susceptibility to coercion or pressure, "behavior, activities or associations which tend to show (editor's underlining) that the individual is not reliable or trustworthy," deliberate misrepresentations or falsifications, or conduct which is criminal, infamous, dishonest, immoral or disgraceful, use of intoxicants to excess, drug addiction or sexual perversion.

The procedure calls for suspension, written charges (insofar as "security considerations permit"), response by employee and decision by agency head. If the employee appeals, there is a hearing by a 3-member board of "impartial, disinterested" persons from other agencies, at which the employee may be represented by counsel, present witnesses and cross-examine his accusers -- if they appear. The agency head makes the final decision in every case.

**INITIAL SCLS COMMENT** The FAS Scientists' Committee on Loyalty and Security, in a statement on Apr. 28, noted its concern that "in the absence of an effective coordinating agency, serious differences in security standards and procedures [might] arise among the various Government departments. Such discrimination, together with the absence of any central appeal mechanism, not only could work hardships on individuals, but moreover could discourage vitally needed scientists and other skilled personnel from accepting Government employment." In the latter connection the Washington Post editorializes: "...the right of summary dismissal...will present a strong temptation to avoid the red tape of ordinary dismissal for inefficiency."

Submergence of the former "loyalty risk" category in the new "security risk" is viewed by some as an improvement on the basis that an employee fired as a drunkard, homosexual or blabbermouth would not be stigmatized as disloyal. Among objections are that the new policy perpetuates the former one in regard to anonymous accusation. "Confidential informants," an undefined category which G. W. Ball, Washington attorney, says "can and almost certainly will be used to embrace crackpots, frustrated fellow employees and grudge-bearing neurotics," are not obliged to appear before the hearing board. "Not only does the accused employee have no right of confrontation," Ball says, "but the fact-finders themselves -- the hearing boards -- except in unusual cases, have no opportunity to judge the credibility of the informants." Nathan David, former Asst. General Counsel to the FCC, casts doubt on the legality of the new order on the basis of (1) the Supreme Court decision in the Oklahoma Loyalty Oath case, and (2) the de facto abrogation of the 1912 Civil Service law and the Veterans' Preference Act of 1944.

## ATOMIC POWER DEVELOPMENTS

Plans for further advance of private industry into the field of atomic power progressed steadily last month. The first step in Congress took place when Rep. VanZandt (R, Pa.) introduced H.R. 4687. This bill proposes to modify the Atomic Energy Act to authorize private ownership and operation of fission-production facilities. Even more important in the long run, it will permit the granting of patents in the field of atomic power, and while limiting government sale of atomic energy will allow competitive private sale of such power.

**INDUSTRIAL COMBINES** On the industrial front, 12 more companies joined an association of Dow Chemical, Detroit Edison and 11 other organizations, for conducting research and development on atomic reactors, in a program approved by the AEC. There are now 5 such groups, representing most of the major power utilities of the nation and many well known industrial concerns. The AEC announcement on May 4 makes clear its willingness to provide for participation of still more concerns in this project. One of the new participating companies, Ford Motor Co., announced on May 8 a million dollar grant to the U. of Michigan for the building of a nuclear reactor for industrial, medical and scientific research.

Throughout these moves for private development of atomic energy, there runs the question of protection of the proposed private investments (see NL 53-4). In general, it is anticipated that this will be arranged through agreements for the government to purchase nuclear by-products of the reactors, which would pose a very knotty problem: since fissionable material will be produced in power reactors, and since it is hardly possible that the government will permit sale of such material to organizations other than itself, the price offered for such products will establish the whole profit structure for the private concerns. The problems of fixing a suitable price can, therefore, become a major issue.

**OBJECTION FROM CIO** One organization in opposition to the development has been the CIO, whose committee on regional development and conservation (AP, Apr. 29) advanced 5 objections: international control proposals have been based on public ownership; special privileges for specific companies give them unfair advantages; control by monopolies might tend to limit peacetime development; large government subsidies, direct or indirect, will be required; and the past record of big companies in dealing with the general matter of industrial pollution is such that the program may become a dangerous one.

Meanwhile, at least one field of government atomic power development has received a setback, with the deferment of plans to build atomic-powered carriers and airplanes (UP, May 6). This action on the surface appears to have resulted from the drive for economy in the new administration. However, press reports attribute to the Deputy Secretary of Defense, Mr. Kyes, the belief that this temporary deferment will more than be made up at a later date by vigorous operations conducted under free enterprise conditions.

**BRITISH PARALLEL** Somewhat paralleling American action, the British government announced Apr. 28 the transfer of its atomic energy program from the Ministry of Supply to a non-departmental organization. The transfer is primarily aimed at avoiding any possibilities of bureaucratic control and at taking advantage of free enterprise methods. Other British plans for commercial atomic energy continue, with emphasis on the building of the world's first experimental atomic power station capable of producing large scale energy, expected to be in operation in about two years.

The subject of modifications of the Atomic Energy Act to further atomic power development was discussed at the last meeting of the FAS Council. Although it was clear that a full FAS consensus had not been reached on the complex questions involved, it was generally agreed that (1) any necessary changes in the Act should be made only after the fullest open discussion, (2) special private interests should not be protected by a wall of secrecy, and (3) any proposal to dispose of the public atomic energy investment to private enterprise should be subject to very close scrutiny.

## PROBES GRIND ON

Activity is increasing on both sides of the issue of the methods and goals of legislators probing into "un-Americanism." A significant portion of the daily press is now consistently occupied with reports of the hearings, and releases of the several Congressional committees which are apparently competing with each other in conducting such probes. Also receiving attention are the consequences of these probes on the lives of the individuals summoned before the committees.

**AAU - AAUP** The particular attention of the probers to the field of education has motivated several organizations of educators to formulate official positions on the proper relation of educators and educational institutions to the investigations. The opinion that "invocation of the Fifth Amendment [refusal to testify on the grounds of possible self-incrimination] places upon the professor a heavy burden of proof of his fitness to hold a teaching position" was announced by the Assoc. of American Universities (AAU), although it was erroneously and regrettably attributed in NL 53-4 to the Amer. Assoc. of University Professors (AAUP). The position of the AAUP is that the dismissal of teachers who have invoked the Fifth Amendment "is not, in and of itself, justifiable." Dr. Ralph E. Himstead, AAUP general secretary, calls attention to the fact that a teacher who refuses to answer the probers does not necessarily have anything to hide, "but actually he may be exercising his constitutional right as a matter of principle because he does not think the committee has a right to ask that question."

Nevertheless, of the 54 educators and former educators who have refused to answer prober's questions about former communist links according to the Christian Science Monitor of May 5, at least 22 have been suspended or dismissed from their positions purely on this basis. On the other hand, some highly reputable universities, such as Cornell and MIT, have expressed explicit confidence in at least four individual teachers who have testified and admitted former communist connections.

**FORCING TESTIMONY** Rep. Keating (R, N.Y.) says he will introduce a bill authorizing Congressional committees to apply for court orders directing witnesses to testify. Non-compliance with such an order would expose a witness to contempt of court charges, which bring more prompt and certain retribution than do those for contempt of Congress. Sen. McCarran (D, Nev.) has introduced a bill to eliminate the Fifth Amendment as a basis for not testifying by granting immunity from prosecution on charges arising from specific information revealed in testimony. The immunity granted would apparently be only from federal prosecution, so that a witness might be forced to expose himself to state or local prosecution on charges arising from his testimony before a Congressional committee. The Senate vote on the bill, due May 12, was postponed two weeks at the behest of Sen. Taft. According to the Washington Post, the bill was unacceptable to the Justice Department.

**CONGRESSIONAL RESPONSIBILITY** Rep. Celler (D, N.Y.) says that some members of Congress have abused Congressional investigating power, and that it is the duty of Congress to "regulate itself." To accomplish such regulation, he says he will introduce a bill providing that all investigations dealing with subversive activities be handled by one joint committee composed of members of the Senate and House Judiciary committees. He apparently believes that such a committee could conduct such investigations with an understanding of "the delicate nature of the balance between civil liberties and internal security."

**LOYALTY OATHS** On the immediately related topic of loyalty oaths, a University of Chicago conference on "Freedom and the Law" was told by Alexander Meiklejohn, Professor emeritus from the U. of Wisc., that the oaths are "subversive of the most fundamental principle of the Constitution -- the principle of the political supremacy of the people over their agents." Judge Curtis Bok of Common Pleas Court in Philadelphia has upheld the Pennsylvania state loyalty oath act with great reluctance on the basis that the US Supreme Court has approved similar laws in other states. He commented, "Were it not for the Federal cases, we would unhesitatingly strike down this act."

## FAS COUNCIL MEETS

The spring meeting of the FAS Council on April 29 and May 2 in Washington was attended by 18 delegates and officers and some 25 observers. The consideration of the Astin affair culminated in a press release (see p. 1) and actions on several other issues were decided. Chairman David L. Hill presided.

**COMMITTEE REPORTS** The Council heard detailed reports of activities of FAS committees on issues covered in this and earlier Newsletters including the following FAS committees: International Atomic Control (D. R. Inglis), Freedom of Inquiry (R. E. Marshak), Anti-Intellectual Trends (S. A. Goudsmit), International Science (D. L. Hill), Domestic Atomic Legislation (J. Orear for B. Spinrad), Loyalty and Security (E. C. Pollard), Visa Problems (V. F. Weisskopf), Passport Problems (P. Axel for G. Chew). The Council urged the attention of FAS and scientists generally to the Hinshaw resolution (H. J. Res. 166) to establish a Joint Congressional Committee on Science (NL 53-3). It also agreed that the Bricker amendment (S. J. Res. 1) to limit treaty-making powers was inappropriate, at least in the present context.

**EXECUTIVE COMMITTEE** The membership of the 1953-54 FAS Executive Committee was completed by the Council: David L. Hill (Chairman), E. U. Condon (Vice-chairman), Lewi Tonks (Secretary), H. C. Wolfe (Treasurer), Jules Halpern, M. Stanley Livingston, and Clifford Grobstein. Reports of chapter activity were heard, and procedures approved for establishment of informal FAS branches in communities without chapters; several branches are now in the process of formation.

**FAS NEEDS MORE RESOURCES** The high level of FAS activity in the Astin affair over-extended the largely volunteer Washington office and the Council noted that substantial increase in FAS resources was necessary both to recover from the Astin case effort and to be ready for future fast-breaking issues. Council delegates reported widespread approval by FAS members and non-members served by the information distributions from the Washington office.

Membership growth stimulated by this activity should be the responsibility of all members, the Council noted. A new brochure is available to explain FAS to prospective members.

### FAS INFORMATION BULLETINS

The FAS Executive Committee has authorized the Washington Office to accept subscriptions to the information bulletins in the past distributed only to the Committee, the Council or the Advisory Panel. The bulletins have been the mechanism by which these FAS groups are kept informed more promptly and in greater detail than is possible with the Newsletter alone. They include summaries or texts of official documents, analyses of legislative situations, news items and interpretations. Their number and timing are closely tied to the march of events of interest to FAS and scientists generally. Yearly subscriptions (including the Newsletter) are \$10 for individuals, \$25 for societies, etc.

- MEMBERSHIP APPLICATION** -- Dues: Regular - \$5 (with income below \$2500 - \$3); Supporting - \$10; Patron - \$25. New membership and an introductory subscription to Bulletin of the Atomic Scientists - \$7.50 (with income below \$2500 - \$5.50).
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## HIGH STRATEGY TUSSLE

A reportedly long-smouldering conflict between high scientific and military strategists has broken into the open in recent weeks. Sharp differences on matters of defense policy are revealed by an article in Fortune magazine (May), a speech on May 1 by Lloyd V. Berkner and remarks by Rep. Melvin Price (D, Ill.) in the Congressional Record (Apr. 30). These may also form part of the background for the current interservice jockeying for the finite defense appropriations and the emerging public debate on the mechanisms of US security. It is clear that science and scientists are heavily involved and their roles are not being treated lightly.

ATOMIC INTRIGUE? Fortune, "the official magazine for rock-bedded Republicanism" according to Rep. Price, describes a series of events between 1949 and the present which demonstrates to its satisfaction that a group of scientists led by J. Robert Oppenheimer has persistently sought to thwart the judgment and direction of competent military leaders.

These scientists, says Fortune, had no confidence in SAC (Strategic Air Command) as a real deterrent to Soviet action; rather they saw SAC, which they considered a weapon of mass destruction, as "a goad to Soviet development of counter-atomic weapons" and the cause of "misgivings in Western Europe." They argued "that a renunciation of atomic-offensive power by both major adversaries is essential to an easing of world tension." Their opposition to H-bomb development, Fortune says, was overruled largely through the efforts of Edward Teller, former AEC Commissioner Lewis Strauss (now adviser to the President), and former Air Secretary Finletter. Oppenheimer is said to have held that "the fusion weapon was beyond the resources of Soviet science" and "in any case the moral course" was to work for a pact binding the two countries never to build H-bombs.

The Oppenheimer group is said to have then turned its efforts to "other areas of atomic strategy," specifically the thesis that "tactical atomic air forces, in combination with relatively small ground forces would by themselves be sufficient to hold Western Europe against the Red Army." Thus the group allegedly proposed diverting a substantial part of the atomic stockpile away from SAC. Again defeated by high military opposition, the group is said to have shifted its objective to proving "the feasibility of a near-perfect air defense for the US," which Fortune says would "undercut the 'deterrent-retaliatory' argument." Originator of the "fortress" nation idea is said to have been Lloyd V. Berkner, head of Associated Universities, Inc., and the mechanisms for its elaboration were Project East River and the celebrated Summer Study Group. Their proposed defense was an early-warning radar system backed by a deep air-defense utilizing advanced techniques.

### SCIENTIFIC IMAGINATION

Speaking to the American Physical Society, Berkner addressed himself to "the problem that arises from the growing power of the atom as an offensive weapon, and the lack of comparable progress in defensive measures." He asked: "How can the ideas emerging from science be employed to restore balance between the offensive and defensive capabilities that influence nations in their acts and policies...?" Berkner noted that, "if we are to produce a respectable air-defense, we must have the opportunity to develop and test radically new weapons and systems concepts....The opportunity to develop really important ideas is now essentially beyond our grasp, because funds under military control are not made available for the creation of new and imaginative solutions." He went on to urge that "a research and development organization, independent of direct military control, is needed to exploit new ideas leading to new weapon systems."

### R. D. B. ABOLISHED

It is of interest to compare Berkner's recommendation with the President's plan for reorganization of the Defense Dept., announced the same day. The Research and Development Board, top-level coordinating group now reporting directly to the Sec. of Defense, would be abolished, apparently to be replaced by a new assistant secretaryship. Civilian scientists were seen by the Washington Post as participating in planning as part of the "substructure" of the Joint Chiefs of Staff.

### SLIDE RULE STRATEGISTS

Possibly it was the kind of thinking outlined by Berkner which led Fortune, in its concluding paragraph, to warn: "there was a serious question of the propriety of scientists' trying to settle such grave national issue alone, inasmuch as they bear no responsibility for the successful execution of war plans." Rep. Price was even more pointed. "...Just because an individual is able to operate a slide rule, ...it does not follow that he is qualified to make the far-reaching decisions required to insure the defense of our country. I make no attack...either on science or on scientists, but I do attack the American bedazzlement with scientists." He went on to quote Gen. Doolittle's views, as a man "far better qualified than scientists to make such decisions for us." The General said on Apr. 25 at Las Vegas Proving Ground, "nothing on the scientific and military horizon offers an impregnable home defense" against what the USSR might "send against us in the future."

The FAS is a national organization of scientists concerned with the impact of science on national and world affairs. This Newsletter is designed primarily to inform the membership and stimulate discussion of relevant issues. The facts and opinions contained do not reflect official FAS policies unless specifically so indicated. The Newsletter is edited by member-volunteers in the Washington area.

### F A S NEWSLETTER

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