

DEPARTMENT OF STATE

FOR THE PRESS

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**CONFIDENTIAL
FUTURE RELEASE
NOTE DATE**

CONFIDENTIAL. RELEASE FOR PUBLICATION IN THE MORNING NEWSPAPERS OF MONDAY, NOVEMBER 3, 1947, WHICH DO NOT APPEAR ON THE STREETS BEFORE 7:00 P. M., E-S T., SUNDAY, NOVEMBER 2, 1947. NOT TO BE PREVIOUSLY PUBLISHED, QUOTED FROM OR USED IN ANY WAY.

In response to newspaper queries, the Department of State is releasing the text of the following letter:

"Dear Sirs:

"October 31, 1947

"Your letter of October 4th addressed to the Secretary of State was referred to me for review and consideration. The points you raise have been reviewed with the responsible officers of this Department. Certain facts have been developed.

"You are, of course, correct in stating that the action taken was not in conformity with procedures later established by the Personnel Security Board of the Department. That Board was set up, its members appointed, and its procedures promulgated subsequent to the dismissals.

"You have requested that the Department either permit all of the individuals to resign or that it give them a complete statement of charges, together with a hearing on those charges. In view of the full consideration already given these cases by top officers of the Department, and the appeal procedure provided by the Civil Service Commission, I must refuse this request.

"The Department regrets that the employees concerned have found it difficult to find other employment as a result of its action. It has attempted to emphasize that the determination in their cases went only to the question of their suitability for employment in the Department in matters of security. This determination was based upon evidence which the Department is

not able to disclose for reasons of national security.

"I invite your attention to the provision in the Appropriations Act of the Department under which the dismissals were made:

'Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Secretary of State may, in his absolute discretion, on or before June 30, 1947, terminate the employment of any officer or employee of

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the Department of State or of the Foreign Service of the United States whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.'

"The Department has the responsibility to resolve, insofar as it is able, any security doubts with respect to an employee. The Congress recognized that we would be unable to resolve completely the question with respect to some employees; for that reason Congress made it possible for the Secretary to act summarily without full resolution of that question, if he deemed it necessary to do so. The Statute appears to designate the Civil Service Commission as the agency to determine whether the facts upon which the Department acted were such as to make an employee ineligible for employment in another government agency. We have this week been informed that the Commission is prepared to consider these cases, if the employees request such consideration. The Department will cooperate with the Civil Service Commission by making available to it the information upon which it acted in the cases under discussion.

"Sincerely yours

"Robert A. Lovett

"Acting Secretary.

"Messrs. Arnold, Fortas, and Porter
"1200 Eighteenth Street, N. W.
"Washington 6, D. C."

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