April Twenty-seconds
1955

The Honorable Harry S. Truman
Federal Reserve Bank Building
Kansas City 6, Missouri

Dear Mr. President:

I promised to send you some notes on specific cases relating to the Employee Security Program.

1. The present policy was drafted by Attorney General Brownell and issued by President Eisenhower, Executive Order 10450, April 27, 1953. It revoked the Truman Loyalty Program, Executive Order No. 9835, March 21, 1947, and substituted a policy in which loyalty requirements were placed on a par with those relating to integrity, competency, and practicality, with the result that suspensions upon personal qualifications for employment. All employees, under the program, are subject to suspension without notice and without pay. Under the present policy, the regulations suggested by the Attorney General to the different departments and agencies, employees, once suspended, have the burden of establishing their innocence, a concept foreign to our institutions of government. The charges on which suspensions occur are, in many instances, vague and indefinite and, therefore, difficult to disprove. Names of informants are generally withheld, so that an accused person, if entirely innocent, is unable to learn the source of accusations or the motives that inspired them, or to examine into the credibility of anonymous accusers. The present alleged security program is open to abuse in many directions. It is used, and apparently was intended to be used, for political purposes. It is responsible for a "witches' hunt," in which the total number of dissidents for any cause, or for pretended causes to shield political motives, was used, and is being used, by the Administration to mislead the public into believing that all disabled are communists, or pro-communist or disloyal to the United States. These phoney figures have been used by Eisenhower, by Nixon, by Brownell, and by other prominent Republicans, including Dewey. (Of course, McCarthy et al.).

An accused employee is entitled to a hearing, but this is usually held (some of the agencies, such as Defense, Atomic Energy Commission, et al., have special provisions) before a panel of three composed of employees from agencies other than the one in which the accused is employed, and these employees are themselves subordinates in government, subject to the same regulations imposed on the accused, and whose decisions may bring their own
status into question. Every case is decided within the agency or department where it originates. There are no appeals. There is no non-partisan, non-government connected review board, such as existed under the Truman Loyalty Program. A clearance means that the charges should not have been brought at all, and it is extremely difficult for many, because of the complicated rules and regulations, the necessity to obtain affidavits covering long and indefinite periods, to employ counsel and to live under heavy additional expenses without income for any person to obtain a fair, objective decision from the officials who brought the charges.

The head of the agency is not bound by the decision of the hearing panel, and in many instances he is not told what that decision was, or whether there was any dissent.

You will be interested in knowing that many of the charges against loyal, conscientious employees are based on alleged membership ten or fifteen years ago, and perfectly innocent at the time, in organizations which since may have come under subversive control or are based on alleged association years ago with persons who may or may not have been subversive; or are based upon interest in or minor contributions to causes or publications which since have become unpopular.

Many employees are the victims of gossip and slander, and practically all of them risk their means of livelihood, their reputations and their right to pursue happiness by the fact of being in government employ. What is true of government service is also becoming true of employment in private industry produced under government contract.

There is a special set-up for industrial employment.

2. The Edward K. Condon case. Condon is one of our foremost scientists. He was, during your administration, head of the Bureau of Standards, and his great contributions to human knowledge are known and appreciated by scientists everywhere. He is the victim of attacks made by Fermall Thomas, former Congressman from New Jersey, who was head of the House Un-American Activities Committee, who afterwards served a term in jail for being "pinko-bait" from government employees. Dr. Condon was cleared three or four times. Recently he was Director of Research and Development for the Corning Glass Works. An invitation to address a group of employees in a California factory led to another investigation, this one by the Navy. There was a hearing before the Eastern Industrial Personnel Security Board and a repetition of the same charges and denials and defenses that had been gone through before. And the result was the same. Dr. Condon was cleared by the hearing panel appointed to decide the case. This was last July — 1954.

Two days after the publication, Navy Secretary Welch revoked the clearance, although it appeared from the newspaper accounts that Vice-President Nixon, who was then in Easton conducting his campaign of vilification against Democratic candidates, had injected himself into the matter in some way, although
it is also said that Attorney General Brownell communicated with Secretary Thomas before the revocation took place. These interferences from the outside nullified the findings of the board established under the Eisenhower program to make the decision. Neither Nixon nor Brownell had any official relationship whatever with the matter at that stage, and to have a board's findings nullified on orders or suggestions from them, or from anyone else, is to substitute rule of dictators for law, and to destroy the rights and liberties and freedoms of all citizens.

Dr. Condon, whose services in the field of atomic and hydrogen research have been among the most important, decided that he could no longer battle against the forces which continued to persecute him. He resigned as Director of Research of the Cornell Glass Works and is now engaged in lecturing at universities, and in pursuing his studies, interrupted so frequently during the last seven years by the necessity of defending himself against charges without substance. Dr. Teller, who headed the group that produced the hydrogen bomb, has said that Dr. Condon’s work advanced the successful result by many months. The thanks he has received from the Eisenhower administration, from Thomas, Nixon and, perhaps, Brownell, is to have his character blackened, and to be deprived of a fair and honest decision in his favor, so as to be induced to give up any employment which in any affects the government he served so well and so faithfully.

3. Hal Ledejinsky. This is another case in which the result is unjustifiable under any rule of law or common sense. Ledejinsky is one of the foremost experts in agricultural problems, and has been foremost in advising on the conduct of economic problems abroad for the State Department, where his employment had been cleared for security purposes. When the operations were taken over by the Department of Agriculture, there was another investigation and clearance was denied. This arbitrary action created such a storm that Ledejinsky was named, in almost the same capacity, by the Foreign Operations Administration, and is now in Japan with that agency. So he has been cleared by the State Department and by the Foreign Operations Administration but remains a security risk in the Department of Agriculture. This rather ridiculous situation has been approved by Eisenhower who stated publicly that each Department was responsible for its own findings, and so he left the matter in this inconsistent and indefensible position.

4. John Dalton Reeves. This is the case of an experienced foreign service officer in the State Department, cleared eight times, and finally dismissed on the ninth go around. Apparently there was nothing new on the ninth investigation, and he was deprived of his career, and of his salary and pension and other rights, earned over a long period of years, on the same set of facts on which he had been given clearance time and again.
Mr. Truman  
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The Davies case, and others in the State Department, have created fear and suspicions which have resulted in impairing, if not destroying, morale in that Department, and have resulted in resignations of the most valuable career officers, besides interfering with efforts to induce the best equipped young men to enter the foreign service as a career. Our representation in our embassies has suffered incalculable damage.

These are but a few cases, hastily sketched, which you may consider before making a public address on the security program. I am sure you can get more detailed information from newspaper files.

It was good to see and chat with you and Mrs. Truman last week.

Sincerely yours,

Philip B. Perlman
March Third
1955

Mr. William Hillman
402 The Honorable Harry S. Truman
Federal Reserve Bank Building
Kansas City, Missouri

Dear Billin-

I am sending you herewith photostatic copies
of Exhibits 3 and 6 which were the exhibits omitted from previous
documents relating to the report made by the President’s Temporary
Commission on Employee Loyalty in 1947. These exhibits were
furnished me by Mr. Vance, who had them photostatted, as no other
copies were available. I believe this completes the particular
documents you desired to be furnished.

One of the other things that was to be done was
to locate a copy of the report of the President’s Commission on
Civil Rights and to list the recommendations which had been
carried out before the expiration of the President’s term.

Best wishes.

Sincerely yours,

Philip B. Perlman
Reference is made to your letter of December 26, 1946, which requested that you be furnished no later than January 9, 1947, this Bureau's observations on certain specific points relating to the problem of disloyal and subversive persons in Federal service.

These points will be taken up in the order in which they were noted in the letter of reference:

1. Extent to which the subversive or disloyal person constitutes a problem in or threat to Federal service.

Subversive or disloyal persons constitute a threat to the Government of the United States by reason of their opportunity or ability to engage in one or more of the following activities:

a. Espionage on behalf of a foreign power or on behalf of the subversive group or groups in which they have membership or with which they are sympathetic.

b. Influencing the formation of policies of the United States Government either domestic or foreign so that those policies will either favor the foreign country of their ideological choice or will weaken the United States Government domestically or abroad to the ultimate advantage of the above indicated foreign power.

c. Influencing the execution of the foreign or domestic policies of the United States Government or the policies of the Federal agency with which the employee is connected so that those policies will either favor the foreign country of their ideological choice or will weaken the United States Government domestically or abroad to the ultimate advantage of the above indicated foreign power.

d. The spreading by the employee within his particular agency of the Federal service of propaganda favorable to the foreign country of his ideological choice in such a way as to influence other personnel of the agency and the impression of such propaganda to non-employees in such a way as to create an impression of official sanction to such propaganda.

e. Recruiting of other individuals either fellow workers or non-Government employees for membership in the subversive or disloyal group which the employee represents.
2. Techniques by which subversive or disloyal persons operate:

a. Infiltration.

There should be considered in connection with this point the obtaining of employment in the Federal Government by the subversive or disloyal person either with or without knowledge of the fact that sufficient background and character investigations of employees are not conducted by the employing agency or department. Secondly, there should be considered the assignment by the subversive or disloyal employee of opportunities to employ, promote or place in vital or sensitive positions either subversive or disloyal individuals and the opportunity to discredit, discharge or withhold appointment of non-subversive and loyal personnel.

b. Direct action.

With regard to this point you are referred to the observations under point (1) which are set forth above.

c. "Front" organizations.

In connection with this point consideration should not only be given to established organizations utilized by the better known subversive group, but also temporary organizations, "spontaneous" campaigns and pressure movements so frequently used by subversive groups. Whenever the subversive or disloyal employee is affiliated with such "front" groups he can be expected to exert whatever influence he has toward attempting to influence the formation of the domestic or foreign policy of this movement or the operation thereof, which is either the direct or collateral issue of the reason for existence of the particular "front" organization.

d. Propaganda.

As indicated in point (d) under (1), the spreading by the employee within his particular group, of the Federal service of propaganda favorable to the foreign country of his ideological choice in such a way as to influence other personnel in the agency and the expression of such propaganda to non-employees in such a way as to create an impression of official sanction to such propaganda.

e. Other techniques.

From the standpoint of evidence it is readily appreciated that a subversive or disloyal employee of the United States Government
would be in a position to make available to his foreign principal the information which comes into his possession by reason of his employment in a particular agency. A more dangerous aspect is the ability to obtain from non-subversive and loyal government employees information in their possession during the usual course of business or during informal contacts which these persons would under no circumstances normally reveal to a known agent of a foreign power. In this same regard to a known agent of a foreign power. In this same regard to a known agent of a foreign power, in this same regard to a known agent of a foreign power.

3. Difficulty of proof of subversive or disloyal connections and activity:

In considering the points raised under this section, the Communist Party, U.S.A. will be used as an example.

a. Secrecy of membership:

The Communist Party, U.S.A., in its operational activities is conspiratorial by its very nature. This particularly applies to records of its membership, even non-governmental membership and records relative thereto are closely guarded secrets. The only exceptions are those publicly recognized officials of the Communist Party.

Even a more drastic secrecy surrounds the records of Communist Party membership of U.S. Government employees. It is doubted that the Communist Party registration records for 1947 will reflect names of government employees even non-governmental. Even though the membership of a government employee has been ascertained through investigation and the statements of informants who have attended Party meetings with him are available, the government employee in the vast majority of instances there be is questioned concerning his membership will deny such membership. This policy of denial has been a definite policy of the Communist Party for many years. It is logical to assume that the policy will in no way be altered in the foreseeable future.

b. Secrecy of operation:

Recent instructions have been issued by a top ranking official
of the Communist Party that there are to be no organizational
meetings of Communist Party members who are government employees
outside of such informal social or union gatherings which could
not be identified by investigating agencies as meetings of the
Communist Party. Rsp., running Communists in the government will
maintain certain key contacts. This is a great deviation from
the policy followed by the Party in the past concerning party
members employed in agencies of the F. J. Government. However,
the secrecy attending any conduct of informal party business
makes identification of Communist Party members solely in reason
of their attendance at identifiable party meetings extremely
difficult.

c. Other difficulties.

You will recall that the Appropriation Bills for the Department
of Justice for the years 1942 and 1943 contain specific instructions,
designated as Public Law #25, 77th Congress, and later Public
Law #554, 77th Congress, stipulating that certain sums of money be
allotted for the Federal Bureau of Investigation to conduct in-
vestigations of Federal employees who might be affiliated with
"subversive" organizations or advocate the overthrow of the federal
Government. The Appropriation Bill for the Department of Justice
for the fiscal year beginning July 1, 1943, did not contain a
provision requiring the F.B.I. to conduct inquiries of "subversive
Federal employees." However, the Attorney General instructed that
this Bureau continue investigations of this type as it had similarly
been conducted under the two public laws above referred to and
that these investigations be conducted under the provisions of
Section 5A (Section 5A-1, Title 5, U.S. Code) of the Hatch Act.

This Bureau in discharging its responsibilities under the above
referred to laws has considered 1,273 cases. In 24 of the cases,
it was determined that the individual was no longer employed by the
Federal Government, therefore, not a proper subject of this type
investigation. In 318 cases investigation disclosed that the
original complaint was not founded in fact, and there, therefore,
appeared no basis for continuing the investigation. In 775 cases,
no action was taken by the employing agency. One hundred and one
individuals were discharged as a result of the information
developed during the course of our investigations. Twenty-one
resigned while the investigation was in progress, and in 72
instances administrative action other than dismissal was taken.
This Bureau is presently awaiting the results of action taken by employing agencies of 122 cases which have been completed and referred to the respective agencies. As of the date of these statistics there are 69 cases pending under investigation.

It is noted that most of the appropriation acts today do contain a provision providing that no part of any appropriation shall be used to pay the salary or wages of any person who advocates or who is a member of an organization that advocates the overthrow of the Government of the United States by force or violence. However, most investigations are conducted under the Hatch Act.