

GENERAL SCIENCE

# AEC Security Decision

Concepts of security discussed in opinions as four AEC commissioners deny Dr. J. Robert Oppenheimer's security clearance while Dr. Smyth finds him both "loyal and secure."

► THE ATOMIC Energy Commission's punch at Dr. J. Robert Oppenheimer will resound throughout the scientific world. Its four-to-one decision that he shall fall by his associations rather than be recognized for his aid in creation of the bomb (the prime reason for the AEC existence) will stir many citizens, even those who are not scientists.

The AEC muffed a chance to remedy what the relatively conservative American Chemical Society weekly, *Chemical and Engineering News* (June 21), calls "horribly inept" handling of the Oppenheimer case "jeopardizing our national safety and well-being."

The AEC majority statement goes far beyond the majority report of its investigating board. Stressing continued "association" with persons they consider suspect, the anti-Oppenheimer commissioners uphold what has come to be known as "negative security."

The majority opinion by Chairman Lewis L. Strauss, Eugene M. Zuckert and Joseph Campbell denied Dr. Oppenheimer's access to restricted data "because of proof of fundamental defects in his 'character'" and because "his associations with persons known to him to be Communists have extended far beyond the tolerable limits of prudence and self-restraint."

## Separate, Concurring Opinion

A concurring opinion by Commissioner Thomas E. Murray branded Dr. Oppenheimer as "disloyal" and charged him with being "seriously deficient in his cooperation with the workings of the security system."

Commissioner Zuckert stated that the evidence which convinced him that Dr. Oppenheimer's employment was not warranted on security grounds "did not justify an accusation of disloyalty."

Commissioner H. D. Smyth in his minority dissent argued that security risk should be judged on whether a person "will intentionally or unintentionally reveal secret information to persons who should not have it." Dr. Oppenheimer is not a security risk by this test, in Dr. Smyth's opinion.

It is not mere accident that the scientist on the personnel security board (Dr. Ward V. Evans, Loyola University chemist) and the scientist among the commissioners (Dr. H. D. Smyth, author of the famous 1945 report on the A-bomb) were the two who upheld Dr. Oppenheimer.

Scientists may be expected to shy away further from the service to their nation so badly needed to keep us in the forefront of scientific and technological development.

It has been rumored that Dr. Smyth intends to resign from the AEC and his scientific friends will understand if he does. But some among them will urge him to continue to raise an expert dissenting voice so that the scientific attitude that is being ignored may have a spokesman, even one who is outvoted.

## Excerpts From Smyth's Dissenting Opinion

► I DISSENT from the action of the Atomic Energy Commission in the matter of Dr. J. Robert Oppenheimer. I agree with the "clear conclusion" of the Gray Board that he is completely loyal and I do not believe he is a security risk. It is my opinion that his clearance for access to restricted data should be restored.

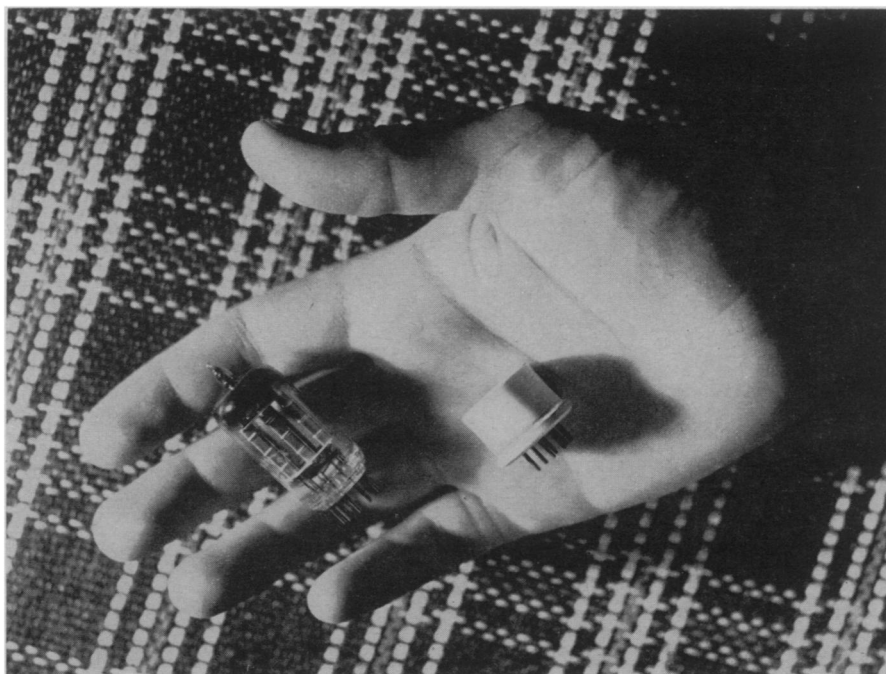
In a case such as this, the Commission is required to look into the future. It must determine whether Dr. Oppenheimer's continued employment by the Government of the United States is in the interests of the people of the United States. This prediction must balance his potential contribution

to the positive strength of the country against the possible danger that he may weaken the country by allowing important secrets to reach our enemies.

Since Dr. Oppenheimer is one of the most knowledgeable and lucid physicists we have, his services could be of great value to the country in the future. Therefore, the only question being determined by the Atomic Energy Commission is whether there is a possibility that Dr. Oppenheimer will intentionally or unintentionally reveal secret information to persons who should not have it. To me, this is what is meant within our security system by the term "security risk." Character and associations are important only insofar as they bear on the possibility that secret information will be improperly revealed.

In my opinion the most important evidence in this regard is the fact that there is no indication in the entire record that Dr. Oppenheimer has ever divulged any secret information. The past 15 years of his life have been investigated and re-investigated. For much of the last 11 years he has been under actual surveillance, his movements watched, his conversations noted, his mail and telephone calls checked. This professional review of his actions has been supplemented by enthusiastic amateur help from powerful personal enemies.

After reviewing the massive dossier and after hearing some forty witnesses, the Gray Board reported on May 27, 1954, that Dr. Oppenheimer "seems to have had a high degree of discretion reflecting an unusual ability to keep to himself vital secrets." My own careful reading of the complete dossier



**STACKED TUBES**—A conventional vacuum tube, left, is shown here beside a "stacked tube" in a ceramic envelope, both using the same size, 9-pin miniature basing. The stacked tube is less than half the height of the conventional tube. The new tube is also very rugged.