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FOR IMMEDIATE RELEASE

WASHINGTON, July 1--Senator Strom Thurmond (D-SC) has moved quickly to counter Monday's U. S. Supreme Court decision which invalidated the nation's industrial security program by introducing legislation in the U. S. Senate to establish a new program for security screening of workers in defense plants.

The South Carolina Democrat dropped a 19-page bill, S. 2314, in the legislative hopper Tuesday night. He then requested that the Judiciary Committee hold early hearings on the bill in order to win congressional approval before adjournment.

The Thurmond industrial security bill provides for establishment of a clearance procedure similar to the one knocked out by the Court in Greene v. McElroy. This one, however, would carry authorization by the Congress and the President. The Court ruled out the Defense Department's program on the narrow ground that neither the Congress nor the President had authorized a procedure which denied to the person whose clearance was revoked the right to cross examine and confront those who provided confidential information on his activities.

The Thurmond bill spells out the security clearance procedure in substantial detail, would set up standards and criteria for security determinations, and would deal directly with the right of confrontation. With respect to this right, the bill provides that the question of whether the identity of a witness should be revealed is left to the certification of the head of the investigating agency furnishing the information. The agency chief would also be able to direct how much of the information could be revealed if he decided to make any available.

In 1957 the Commission on Government Security recommended to the Congress that legislation similar to the Thurmond bill be enacted into law. No action has been taken on the recommendation.

Thurmond told the Senate he is convinced that the Court decision is wrong because the Court has "failed to distinguish

between what is a matter of right with the individual and what is, at the greatest, a matter of privilege."

The Senator then gave these added comments on the decision: "This case did not deal with the right of an individual to hold a job or to preserve any right guaranteed to him by the Constitution. It involved solely the question of whether an individual should have access to properly classified information presumably in the exclusive control of the Government. Under such circumstances, the Government has the right to determine who, under what conditions, shall receive classified information. The loss of employment which occurred in this instance, and undoubtedly in others, was incidental to the decision of the Department of Defense to deny such information to Greene. Since no right of the individual was involved, the procedure utilized by the Department of Defense in arriving at the decision is and was immaterial. Justice Clark wisely noted this distinction in his dissenting opinion.

"Regardless of whether we agree or disagree, individually, with the rationale of the Supreme Court's opinion, the fact remains that the country is now without any effective industrial security program. The existing procedure could be made effective only through compromise of our entire security program by the process of 'burning informants and agents.' The burden rests squarely on the Congress to remedy the situation."

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