

1396 AMENDING SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

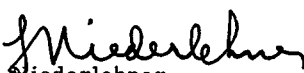
Paragraph (4) adds a new Section to the Subversive Activities Control Act. The proposed subsection (b) of this new Section authorizes the President by regulation to make "reasonable inquiries directed to an individual regarding his affiliations, memberships, beliefs, or activities, past or present, which are relevant to a determination of whether there are reasonable grounds to believe that he may engage in sabotage, espionage, or other subversive acts as an employee of a defense facility." A screening program to identify persons to whom such inquiries should be directed seems necessary to any effective implementation of this provision. In order to establish an effective screening program, the subsection should be expanded to authorize the Executive Branch to obtain personnel security questionnaires and fingerprint cards from employees and applicants for employment in defense facilities and to require the management of such facilities to submit these to the Government. It should be recognized that this provision of the bill would require security checks of the employees of several thousand defense facilities. Additional monetary and manpower resources would be necessary to meet this requirement.

It is recommended that the proposed new subsection (b) be further amended by deleting therefrom the following words appearing on page 4, in lines 11 and 12, "if there is no reasonably available alternative source of the information sought." Retention of this provision may require substantive proof that there is no reasonably available alternative source of the information sought; it may invite refusals to answer questions on personal history statements on the premise that the Government has the information; it could conceivably be used by subversive-minded persons to ascertain whether the Government has investigative information concerning them; and it would partially destroy one of the Government's objectives in asking for the information, which is to ascertain whether the individual was truthful in executing his application.

It is recommended that a new subsection (c) be added to the proposed new Section 5a and that the present subsections (c), (d), and (e) be relettered. It is recommended that the new subsection (c) authorize the administrator of the program to investigate employees and applicants for employment in defense facilities where such persons would have an opportunity by reason of their employment to engage in sabotage, espionage, or other subversive acts.

The Bureau of the Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report for the consideration of the Committee, but that it has not yet had the benefit of the views of the Department of Justice and other interested agencies on H.R. 15018.

Sincerely,


L. Niederlehner
Acting General Counsel