since carried the day, the right of privacy is "the most comprehensive of rights and the right most valued by civilized men." See also e.g. *Warden* v. *Hayden*, 387 U.S. 294. The creation of voluminous files of "raw" unanalyzed data concerning the intimate details of the lives and beliefs of a significant proportion of our population is a specter so incompatible with the basic tenants of a free society that it should incline this Committee to a sober reconsideration of the scope of this bill. The right of privacy is not, of course, an absolute. But intrusions into the private lives of American citizens should be permitted only where the expected benefits can be shown to be of a very high order. No such showing has or can be made here. Today the Communist movements appeal to the working men and women of this country is at its nadir. For this reason we are not aware of any information which would suggest that sabotage has been a problem of any proportion in the prosecution of the war in Vietnam. Thus H.R. 15626 takes insufficient account of this fact that the period since 1950 has proved a point that should never have been in doubt—that the vigilance, good sense, innate loyalty of the American working man provides the firmest possible defense against Communist subversion. Whatever the felt needs of the late 40's and early 50's might have been recent history should give us the courage to free ourselves from the excesses of that period and to return to our historic traditions in which we place our trust in the responsibility and loyalty of free men.

The threat to the right of privacy we have noted is intensified by the fact that H.R. 15626 requires the perpetuation, and probable enlargement, of a bureaucracy charged with the monitoring of the private lives and thoughts of American citizens—charged in other words with a task that aligns the Federal Government far too closely with the government of Big Brother in Orwell's *1984*. The Statement of Joseph J. Liebling, Director for Security Policy of the Department of Defense, indicates that this bureauracy comprises over 11,000 people and spends over $45 million per year. A Congress as concerned with economy as the present one, which is seriously considering cutting $6 billion from the Federal Budget should, we submit, cut down the size of this swollen security force, whose very existence is a danger to our free institutions, not enlarge it.

The problems we have noted thus far are exacerbated by the excessively broad grounds for disqualification from employment set out in H.R. 15626. In this regard, Sections 5A(d) 15–17 are the most objectionable. The notion that a security force should inquire into the mental health, alcoholic intake and sexual habits of railroad conductors, utility workers, etc., is an ominous one in a society built on freedom and respect for the inviolate nature of the individual. Consideration of the processes that would have to be used to secure reliable evidence as to such matters is enough to require that these provisions should be reconsidered. In addition, it hardly appears self-evident that it is proper to place in the hands of the Executive Department the power to bar every citizen who has relatives in Russia, Eastern Europe, or China from such a high proportion of the blue collar jobs available in this country. Yet that is the precise effect of Section 5A(d)(10). And while the AFL–CIO and the vast majority of its membership has given unstinting support to the Administration's prosecution of the war in Vietnam, it seems to us to be unsound to place the job rights of those who oppose that policy peacefully, and out of a sense of loyalty, in jeopardy. Yet that is a probable effect of Section 5A(d)(3). In addition to these specific points, which could be expanded, there is another danger inherent in Section 5A(d). It gives the Executive a broad discretion which could be used as a cloak to further objectives other than the exclusion of potential saboteurs and subversives from defense positions. This discretion could, for example, be used as a mechanism to allow anti-union employers to rid themselves of workers who hold the "subversive" idea that representation by a labor union is a good idea.

The overbreadth of the bill is not the only reason why the AFL–CIO cannot support H.R. 15626. The Federation also objects to the fact that the proposed legislation does not go far enough in assuring fair procedures to those who wish to challenge an adverse security determination. The exceptions contained in Section 5A(k) to the right to cross-examine witnesses and to secure relevant documentary material are of such potential magnitude that they threaten to engulf those rights. We submit that the minimum improvement that is necessary is to provide that the hearing officer in charge of a particular case, rather than those who have investigated and decided to prosecute the matter, decide whether the national security requires deviation from these essential rights. Moreover, the bill should make it clear that a refusal to produce a witness under 5(a)(k)(B) or (C) should be sustained only if the informant is an undercover agent. The present wording is far too vague. Since the hearing officer will,