

OCTOBER TERM, 1958.

Opinion of the Court.

360 U.S.

The court also rejected petitioner's claim that he was deprived of his livelihood without the traditional safeguards required by "due process of law" such as confrontation of his accusers and access to confidential reports used to determine his fitness. Central to this determination was the court's unwillingness to order the Government to choose between disclosing the identities of informants or giving petitioner clearance.

Petitioner contends that the action of the Department of Defense in barring him from access to classified information on the basis of statements of confidential informants made to investigators was not authorized by either Congress or the President and has denied him "liberty" and "property" without "due process of law" in contravention of the Fifth Amendment. The alleged property is petitioner's employment; the alleged liberty is petitioner's freedom to practice his chosen profession. Respondents admit, as they must, that the revocation of security clearance caused petitioner to lose his job with ERCO and has seriously affected, if not destroyed, his ability to obtain employment in the aeronautics field. Although the right to hold specific private employment and to follow a chosen profession free from unreasonable governmental interference comes within the "liberty" and "property" concepts of the Fifth Amendment, *Dent v. West Virginia*, 129 U. S. 114; *Schware v. Board of Bar Examiners*, 353 U. S. 232; *Peters v. Hobby*, 349 U. S. 331, 352 (concurring opinion); cf. *Slochower v. Board of Education*, 350 U. S. 551; *Truax v. Raich*, 239 U. S. 33, 41; *Allgeyer v. Louisiana*, 165 U. S. 578, 589-590; *Powell v. Pennsylvania*, 127 U. S. 678, 684, respondents contend that the admitted interferences which have occurred are indirect by-products of necessary governmental action to protect the integrity of secret information and hence are not unreasonable and do not constitute deprivations within the meaning of the Amendment.