

1652 AMENDING SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEXTER C. SHOULTZ,	)	
Plaintiff,	)	
vs.	)	No. 47330
ROBERT S. McNAMARA, Secretary	)	MEMORANDUM OF OPINION
of Defense, and Does One	)	
Through Ten,	)	
Defendants.	)	
_____	)	

Plaintiff, a holder of a security clearance, employed by Lockheed Missiles and Space Company of Sunnyvale, California, seeks to enjoin the defendants, Secretary of Defense Robert S. McNamara and other Defense Department officials, from suspending plaintiff's secret security clearance pursuant to the provisions of Section V. B. of Department of Defense Directive 5220.6, effective January 6, 1967.^{1/} Both parties move for

1/ "In the course of an investigation, interrogation, examination, or hearing, the applicant may be requested to answer relevant questions, or to authorize others to release relevant information about himself. The applicant is expected to give full, frank, and truthful answers to such questions, and to authorize others to furnish relevant information. The applicant may elect on constitutional or other grounds not to comply. However, such a wilful failure or refusal to furnish or to authorize the furnishing of relevant and material information may prevent the Department of Defense from reaching the affirmative finding required by reference (a) in which event any security clearance then in effect shall be suspended by the Assistant Secretary of Defense (Administration), or his designee, and the further processing of his case discontinued." Section V. B. of Department of Defense Directive 5220.6.