

space workers: "The space program has become the pet gripe for everyone: How can we put a man on the moon, people say, and not make a can opener that works? We have all sorts of enemies after our money. But you can't put this program back much more without dissolving this team." And, for many MSC workers who are members of America's space program first and the aerospace team second, dissolving

"the team" that will put Americans on the moon would be like holding back traveling money from Christopher Columbus and the explorers who followed his lead.—THOMAS GORDON PLATE

A writer for Newsweek magazine, Thomas Gordon Plate was recently a member of a reporting team covering preparations for the Apollo 11 flight in Houston.

HEW Security Checks Said To Bar Qualified Applicants to PHS

Among many government officials the Department of Health, Education, and Welfare (HEW) has the reputation of running one of the most rigid security operations in Washington. This reputation has nothing particularly to do with the new Nixon Administration; it is a bureaucratic fact of life that is traceable through the Johnson and Kennedy Administrations at least back to the period when Senator Joseph McCarthy waxed strong during the early part of the Eisenhower Administration.

The security procedures established during these earlier periods continue with momentum many years later, impervious to changing administrations or, it often seems, to the political control or even knowledge of top governmental officials. On 27 June, *Science* published an article (p. 1499) detailing how the HEW security process had barred prominent scientists from serving on advisory panels. In response to this article, HEW Under Secretary John G. Veneman has written *Science* that "We are seriously reviewing the procedures by which investigations are made of persons being considered for positions on advisory councils." On 30 June, the *Washington Post*, in an extensive article by staff writer William Greider, elaborated on the ways in which the HEW security system barred some scientists from advisory panels.

After these articles appeared, further complaints about the HEW security system were received by *Science*. One high-ranking health official in the Johnson Administration, HEW Deputy Assistant Secretary George A. Silver, now of the Urban Coalition, said that

he had learned that qualified young doctors were being barred from commissions in the Public Health Service on the basis of HEW security investigations. In Silver's opinion, there is no reason to have security clearance investigations for such doctors. "Most of these Public Health Service doctors are at the National Institutes of Health, in the Indian Health Service, on Coast Guard icebreakers, or in public hospitals. What possible security problems would they represent?" Silver exclaimed. In Silver's view, these security procedures "sharply limit the opportunity to get creative people with an innovative viewpoint" in the Public Health Service (PHS) and in other parts of HEW.

The threat that political considerations may bar some qualified applicants from PHS commissions is troubling to some medical people, especially to young doctors and medical school students who are opposed to American participation in Vietnam. Medical school graduates face the prospect of almost immediate induction for 2 years of service as physicians in the armed forces. A significant number of graduates have grave political and moral reservations about military service, especially when it often means being sent to Vietnam. Among this group, acceptance of a 2-year stint in the Public Health Service in lieu of military service seems a far preferable alternative.

However, if the case of one physician, Henry S. Kahn, is an accurate indicator, anti-Vietnam war views may be a factor in denying some people PHS commissions. Doctor Kahn has

charged that after being selected by the PHS for sponsorship for a commission last August, his commission was rejected in December on the basis of a governmental security check. Kahn's assertions are supported by evidence supplied by Republican Senator Edward Brooke (Mass.). Senator Brooke's assistance was obtained partly through requests on Kahn's behalf by Robert H. Ebert, dean of the Harvard Medical School of which Kahn is a graduate, and Norman G. Levinsky of the Boston City Hospital where Kahn is working.

Most of those rejected for positions on the basis of governmental security checks have no idea of the information being used against them. However, through the intervention of Senator Brooke, Kahn did find out two items of information that were used against him. After Brooke had queried Surgeon General William H. Stewart, head of PHS, on two occasions early this year about Kahn's rejection, HEW officials met with Brooke's administrative assistant who concluded that derogatory information unrelated to Kahn's professional qualifications had been uncovered in the HEW security check. Two items of information about Kahn were revealed to Brooke's administrative assistant. One was a newspaper account of an antiwar demonstration in which Kahn is said to have participated. The other was a letter signed by several people, including Kahn, suggesting a memorial to Negro author W. E. B. DuBois.

In a two-and-one-half-page letter about Kahn's case to HEW Secretary Robert H. Finch, Brooke termed the two items about Kahn "of doubtful relevance." Brooke rather wryly noted that "I am myself a member of a committee formed to raise private funds for a memorial to DuBois in his hometown of Stockbridge, Massachusetts." Brooke, who served as Attorney General of Massachusetts before election to the Senate, argued that there are all kinds of antiwar protests and that "the mere fact of this kind of activity, unless it be proven to be specifically illegal or subversive in intent, should hardly be conclusive in determining a man's qualifications for a PHS commission."

"The arbitrary fashion in which Dr. Kahn's application has been denied does serious injury to him personally and professionally," Brooke wrote Finch. Brooke termed the Kahn case

Senate Hearings on Campus Disorders

Senator John McClellan's Permanent Investigations Subcommittee is continuing its investigations of radical activities on the nation's campuses. Since the first of the month, it has heard from several presidents of universities that have experienced serious student disruptions, including Stanford, Howard, North Carolina A&T, and Voorhees Junior College; listened to testimony by students representing the politics of the center and right; and kept Harvard President Nathan Pusey cooling his heels while a fourth-year Harvard teaching fellow criticized the Harvard faculty and administration for "yielding to force."

At the end of May, the subcommittee subpoenaed more than 15 universities with the announced intention of determining whether federal aid should be withdrawn from students involved in disruptive activities. The investigation now appears, however, to be focusing on another major issue: whether universities and colleges which suffer disruptions are willing and able to maintain order themselves or whether they need a helping hand from Congress.

In the incident involving Pusey, the committee's time was consumed by L. C. Helms, a graduate student described by other Harvard students at the meeting as a member of a "right-wing" minority on campus. During lengthy testimony in which he read from mimeographed sheets and old newspaper clippings, Helms told McClellan he was "seeking to indict the Harvard Administration" for not being tough enough on radicals. Afterward, McClellan indicated that the committee would recall Pusey, but committee sources say that no date has been selected.

Testimony by Stanford officials was typical of the views expressed by most administration witnesses on the question for federal punitive measures. They stressed the need for the university to solve its problems from within. Kenneth Pitzer, president of Stanford, testified that the punitive riders that legislators are attempting to attach to appropriations bills "do more harm than good" to the cause of restoring and maintaining peace on the nation's campuses. Pitzer said that the measures aimed at individuals—which involve the possible withdrawal of federal funds to persons found guilty of disruptive acts—could seriously undermine the efforts of universities to strengthen their own campus judicial mechanisms. He said that measures aimed at institutions—requiring them to set federally acceptable disciplinary standards against unruly students as a prerequisite for receiving aid—threatens the university's autonomy.

William Rambo, director of Stanford's Applied Electronics Laboratory, which was occupied by students in mid-April (see *Science*, 2 May 1969), testified that antiriot amendments could have an "enormous negative effect." Rambo, whose office was occupied by students who renamed it the "Che Guevara room" less than 3 months ago, said that any attempt taken by the federal government, outside of court action, to limit student disruptions by threatening universities or individuals with punitive restrictions may be regarded as a more serious threat than the disruptions these measures have been devised to prevent.

The questioning that followed revealed differences of opinion between the powerful committee chairman, John McClellan (D-Ark.), and committee member Charles Percy (R-Ill.). McClellan had indicated that if the universities aren't willing to cooperate fully, they may well get a push from Congress. McClellan flatly insisted, "When people resort to crime, I don't believe the university should become a sanctuary." Percy, on the other hand, says that campus disruptions and punitive actions are better resolved out of Washington. He fears that Congress, in a moment of rashness, might pass legislation that would be futile. He says Congress must not take a "get in there and let them have it" attitude, and warns against "feeding the flames of insurrection on campus."

The McClellan hearings are scheduled to continue through the rest of July.—MARTI MUELLER

"a flagrant example of unfairness in the security check process."

Those wishing to be commissioned usually attempt "to find a job" within the PHS before they are actually commissioned to ensure that there will be a spot for them. Kahn went to the PHS's Communicable Disease Center in Atlanta in May 1968 to interview for a position there in the Epidemic Intelligence Service. All went well and he applied for a commission in May of last year. In mid-August, Kahn learned both by letter and by telephone that his application was sponsored by the Epidemic Intelligence Service and that, subject to approval, he would begin active duty in July 1970. On 19 August, Kahn notified the Epidemic Intelligence Service of his acceptance. "They wanted me and I wanted them," Kahn explained to *Science* in an interview. In mid-October, Kahn said, he was told by the Service that he had passed his physical examination and that the only remaining step in processing his application was a "routine security check." However, on 12 December Kahn was informed by HEW that he "did not meet the standards" for appointment in the Commissioned Corps of the Public Health Service. Kahn's efforts to determine the specific security grounds on which he had been excluded proved completely unsuccessful until Senator Brooke's office began to make inquiries.

According to Alton C. Frye, one of Brooke's top assistants who has worked on this matter, an HEW official explained the Kahn rejection with the statement "These kind of people can be very troublesome." In Frye's opinion, the information which HEW produced to explain its rejection of Kahn amounted to "nothing, nothing at all. It was absolutely insubstantial."

Kahn has now filed suit against the relevant officials of the federal government to stop his imminent induction into the military and to overturn his denial of a PHS commission on security grounds. The case opened in early July in the U.S. District Court in Boston. Kahn's lawyers, who are supported by the National Emergency Civil Liberties Committee, argue that denial of a PHS commission on security grounds "has served to damage the plaintiff's reputation, character and loyalty, and will foreclose any future employment or association with the Government or any private institution receiving funds from the Government." They also argue that Kahn "has no

knowledge of any facts that might have been the basis for a determination" that his appointment would not be consistent with the interests of national security.

Kahn contends that he has been professionally deprived in a number of ways in being refused his PHS commission. (i) He has been deprived of an opportunity to do a residency as would have been permitted in the PHS program; (ii) he will not be "permitted to work, as previously arranged, in one of the few institutions offering an extensive program in epidemiology and infectious diseases"; and (iii) "I have in effect been labeled a 'subversive' and my loyalty to my country called into doubt and questioned by nameless and faceless persons, following procedures giving me no opportunity to establish my qualifications as a loyal citizen and to rebut any charges or suggestions of disloyalty."

It is impossible to determine precisely what proportion of qualified applicants for medical, scientific and engineering positions in the PHS are turned down on the basis of information developed in the HEW security check, but it probably does not represent a high percentage of the applicants. According to Tamarath Yolles, director of the Commissioned Personnel Operations Division for HEW, about 750 of the 2500 physicians who applied this year for PHS commissions were accepted. Of those selected, reported Dr. Yolles (who is the wife of NIMH director Stanley M. Yolles) only about 1 percent were barred on the basis of the security and suitability check run by HEW. Mrs. Yolles also supplied the additional information that a full-fledged conscientious objector (I-O classification) cannot be given a PHS commission but that a conscientious objector available for noncombatant military service (I-A-O classification) could be given a PHS Commission. (Mrs. Yolles, who supervises the PHS commissioning process, discussed these matters for a few minutes with *Science*, but then declined to answer further questions on how the HEW security check system affected PHS commissioning. After the initial discussion, Mrs. Yolles would not make herself available even for the purpose of ascertaining why she was unwilling to answer questions on this subject.)

Before she refused to answer further questions on the subject, Mrs. Yolles did say that the security check delayed some candidates' applications

past the deadline for processing. Such a delay usually means that doctors are denied a PHS commission since they immediately become available for induction into the military forces. In talking to recent PHS applicants around the country, *Science* found several cases of doctors who had not been denied a commission outright on the basis of the HEW security check but who had been delayed past the PHS cut-off date, thus effectively depriving them of a PHS commission.

Doctors who are facing military induction doubtless feel a special hardship when they are deprived of PHS commissions. The problem of qualified applicants being denied government positions on the basis of their political or other nonprofessional criteria, however, extends all across the vast Department of Health, Education, and Welfare, and, indeed to almost every other government agency.

In Senator Brooke's opinion, cases such as that of Dr. Kahn illustrate "how important it is for the Federal government to take a sober and objective look at the justice of procedures whereby an applicant is never precisely informed of or permitted to comment upon information about him which may be frivolous or, indeed, untrue. There are certainly grave questions about the desirability and constitutionality of governmental practices by which anonymous officials use secret information and undisclosed criteria to deny someone a job in a nondefense-related field. Dr. Kahn's case prompts a nagging suspicion that some applicants may be rejected for federal appointment because their beliefs or their efforts in behalf of legitimate causes are deemed contrary to government policy."

Brooke has urged that Secretary Finch initiate a broad reexamination of practices and standards in the security check area. "I hope that you, as Secretary of one of the Departments in which such procedures are especially inappropriate," Brooke wrote Finch, "will see fit to take the lead in such a reexamination. I, for one, will be happy to support any reasonable effort to correct the manifest deficiencies of the present system."

Although the strong support of a well-known Republican such as Brooke is helpful, it is certain to take a lot more pressure—both from individuals and scientific organizations—to persuade the HEW bureaucracy to modify its well-established security procedures.—BRYCE NELSON

NEWS IN BRIEF

● **ARMY TESTS NERVE GAS:** The Army has disclosed that it is conducting open air tests of lethal nerve gas at three sites in the nation. A Pentagon official acknowledged the open-air testing to a House subcommittee chaired by Representative Henry S. Reuss (D-Wis.). In addition to the Dugway Proving Ground in Utah, tests are being conducted at the Edgewood Arsenal in Maryland and at Fort McClellan in Alabama.

● **INDIAN RESIGNS BUREAU POST:** Robert L. Bennett, the first American Indian to serve as Indian Affairs Commissioner in the Interior Department in 100 years, has resigned his post to protest the Administration's alleged indifference to Indians. Bennett, an Oneida Indian from Wisconsin who has served in the Bureau for 31 years, says he submitted his resignation after he learned through a television program that Interior Secretary Walter Hickel was seeking a new commissioner. A strong advocate of Indian rights, Bennett believes political considerations were behind the Administration's move to replace him. Bennett, who was named commissioner in 1966 by President Johnson, is a Republican. He served from 1961 to 1965 as Indian Affairs Bureau Director for Alaska, the state where Hickel was elected governor in 1966.

● **AGRICULTURE DEPARTMENT MORATORIUM ON DDT:** The Agriculture Department has ordered a temporary suspension of the use of DDT and other persistent pesticides containing chlorinated hydrocarbons in its pest control programs for 30 days while a departmental review is undertaken. The suspension will affect government pest control programs conducted by the U.S. Forest Service, the Agricultural Research Service, and departmental pest control operations at military and civilian airports. Agriculture officials say the review will consider possible alternative pest control methods, including other chemicals.

● **SENATE AFFIRMS MCELROY:** The Senate confirmed on 11 July the appointment of William D. McElroy, Johns Hopkins University biologist, as the new National Science Foundation director. He succeeds Leland J. Haworth.