

Clark Mollenhoff

The case of the super-secret file

WASHINGTON — The Defense Department for six years has fought to keep secret the investigative file in a security case involving Robert P. Smith, a former senior engineer-scientist with Douglas Corp.

Smith, now 48, was 42 when he was notified his security clearance had been lifted. It wasn't because of a charge he had leaked defense secrets. It was simply that a government psychiatrist had determined that he lacked judgment and reliability and thus "might" be inclined to be careless with defense secrets.

Smith had his own doctors who said the government doctor did not know what he was talking about. Also, his doctors argued that because of Smith's highly developed sense of morality, he would be less likely than most men to be talkative about defense secrets.

For more than four years, Smith fought his case through the stacked deck of the Defense Department administrative chair of command. He had believed there was some sense of fair play in the military bureaucracy.

Always he was denied access to his investigative file.

Then something over a year ago, he went into the federal courts to fight for access to his investigative file

Clearance restored but . . .

U.S. District Judge Joseph Waddy ordered the Defense Department to let him examine the full investigative file in the privacy of his chamber. But the Defense Department balked, agreeing instead to restore Smith's security clearance but asking permission to appeal the order to the higher courts.

Smith will have to take action against the government in the court of claims to get six years of back pay, plus the damages he plans to ask for. But he remains perplexed at the new posture of the Defense Department, which only a few weeks ago ruled he was "a security risk."

"Apparently they would rather let a man they considered a security risk only a few weeks ago have his security clearance restored rather than give up their precious investigative file," Smith said.

"I don't know who is embarrassed by that file, but it certainly has taken me a long time to get back my security clearance," Smith said recently. "I have been fighting the faceless bureaucracy for six years, and it has taken its toll on me. I have lost my job, I have lost my wife and I have lost my home. There have been only 150 days in this last six years in which I was gainfully employed."

Unpopular suggestions

Smith had been employed on the Manned Orbiting Laboratory as a systems analyst. "We wanted to know what they wanted this thing to do, and I guess I was pretty insistent in offering suggestions that did not square with what my superiors wanted," Smith said.

Smith was a graduate of Carnegie Technical Institute in 1941 with a degree in engineering. A few months later he went into the Army and was assigned to the Manhattan Project. The Manned Orbiting Laboratory program folded in 1969 after spending more than \$300 million.

Although he can hope his ordeal is over, there is no assurance that it is. Even with his security clearance restored, there will be the problem of getting another job.

At this stage, it is apparent there has been some arbitrary decision-making in the industrial personnel security clearance program — all under the cloak of what must be admitted is a show claim of executive privilege to cover bureaucratic ar-