

# New Rules for 'Subversives'

By Jared Stout

WASHINGTON — (NNS) — Membership in "subversive or revolutionary-terrorist" groups would be grounds for automatic dismissal from federal jobs under terms of a pending Nixon Administration proposal.

Adoption of the proposal would mean abandonment of legal safeguards imposed for protection of unpopular groups after the anti-Communist scare tactics of the late Sen. Joseph R. McCarthy.

The safeguards require the

government to prove criminal or other misconduct before dismissing a federal worker. Mere membership in a group listed by the Attorney General as "subversive" now is not enough.

The proposed standard would mean dismissal for a worker if government officials decide his continued employment would not promote the efficiency of his employer.

No evidence or proof that membership in a "subversive or revolutionary-terrorist" group would be required under the proposal, which is

aimed at workers in jobs that do not require security clearances.

A Justice Department spokesman declined yesterday to name any organization which would fit the "subversive" model, or to cite any evidence of incidents involving such groups that would warrant a change in the power of government to hire and fire.

"The department does not characterize organizations," the spokesman said. "The proposal does not arise from any specific incident. It was felt that (it) was needed so

that the existing (internal security) system functions adequately."

The spokesman termed the new standard for "subversives" and federal jobs "a working proposal," which for the moment, could take the form of either legislation or a presidential executive order.

Assistant Attorney General Robert G. Mardian, head of the Justice Department's internal security division, and chief of administration efforts in domestic intelligence, referred to the proposal in remarks prepared for

an Atomic Energy Commission security conference.

Mardian called court decisions which carefully circumscribed operations of internal security programs "legalisms."

He said "legal distractions . . . have placed an onerous, if not impossible, burden on government and industrial security officers," and that the new standard were one of several proposals to lighten the load.

Among others he named was a July 2 executive order from President Nixon authorizing the Subversives Activi-

ties Control Board to hold hearings and name groups that fall into the "subversive" or "revolutionary-terrorist" category.

That order is under attack on Congress. Sen. Sam J. Ervin (D-N.C.) has introduced two bills to bar use of federal funds to enforce the order.

Mardian said consideration of membership in groups "dedicated to revolutionary-terrorist principles would offer a "more realistic" test than present standards.

He believes "the vast majority of Americans would

. . . agree that persons who are knowing members" of such groups "should not be employed in even non-sensitive positions, not simply because they are disloyal, but because such people are not likely to improve the delivery of governmental services of a government system they are trying to destroy."

He contended federal agencies should be able to dismiss an employe if membership in an offending group would diminish his employer's efficiency.