



# EXECUTIVE ORDER 10422

PRESCRIBING PROCEDURES FOR MAKING AVAILABLE TO THE SECRETARY GENERAL OF THE UNITED NATIONS CERTAIN INFORMATION CONCERNING UNITED STATES CITIZENS EMPLOYED OR BEING CONSIDERED FOR EMPLOYMENT ON THE SECRETARIAT OF THE UNITED NATIONS

WHEREAS the United States has ratified the Charter of the United Nations and is participating in the activities of the United Nations by virtue of the [ratification of the said Charter \(59 Stat. 1031\)](#), and of the authority granted by the United Nations Participation Act of 1945 ([59 Stat. 619](#)); and

WHEREAS a Commission of Jurists has advised the Secretary General of the United Nations that he should regard it as of the first importance to refrain from employing or to dismiss from employment on the Secretariat of the United Nations any United States citizen who he has reasonable grounds for believing has been, is, or is likely to be, engaged in espionage or subversive activities against the United States; and

WHEREAS the Commission of Jurists has also advised that the United States should make available to the Secretary General information on which the Secretary General can make his determination as to whether reasonable grounds exist for believing that t United States citizen employed or being considered for employment on the Secretariat has been, is, or is likely to be, engaged in espionage or subversive activities against the United States; and

WHEREAS the Commission of Jurists has further advised that the independence of the Secretary General and his sole responsibility to the General Assembly of the United Nations for the selection and retention of staff should be recognized by all Member Nations; and

WHEREAS the Secretary General has declared his intention to use the conclusions and recommendations of the opinion of the said Commission of Jurists as the basis of his personnel policy in discharging the responsibilities entrusted to him by the Charter and staff regulations of the United Nations; and

WHEREAS in the participation by the United States in the activities of the United Nations it is in the interest of the United States that United States citizens who are employees of the Secretariat of the United Nations be persons of the highest integrity and not persons who have been, are, or are likely to be, engaged in espionage or subversive activities against the United States; and

WHEREAS it is in the interest of the United States to establish a procedure for the acquisition of information by investigation and for its transmission to the Secretary General in order to assist the Secretary General in the exercise of his responsibility for determining whether any United States citizen employed or being considered for employment on the Secretariat has been, is, or is likely to be, engaged in espionage or subversive activities against the United States; and

WHEREAS such procedure should afford opportunity for hearing to any United States citizen employed or being considered for employment on the Secretariat as to whom an investigation discloses derogatory information, so that the person affected may challenge the accuracy of any such information;

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution, statutes, and treaties of the United States, including the Charter of the United Nations, and as President of the United States, it is hereby ordered as follows:

## PART I - INVESTIGATION OF UNITED STATES CITIZENS EMPLOYED OR BEING CONSIDERED FOR EMPLOYMENT ON THE SECRETARIAT OF THE UNITED NATIONS

1. Upon the receipt by the Secretary of State from the Secretary General of the United Nations of the name of and other necessary identifying data concerning each United States citizen employed or being considered for employment by the United Nations, there shall

be an investigation of such person in accordance with the standard set forth in Part II of this order.

2. The Secretary of State shall forward the information received from the Secretary General of the United Nations to the United States Civil Service Commission, and the Commission shall conduct a preliminary investigation.

3. The preliminary investigation conducted by the Civil Service Commission of any such person shall be made at all available pertinent sources of information and shall include reference to:

(a) Federal Bureau of Investigation files.

(b) Civil Service Commission files.

(c) Military and naval intelligence files as appropriate.

(d) The files of any other appropriate Government investigative or intelligence agency.

(e) The files of appropriate committees of the Congress.

(f) Local law-enforcement files at the place of residence and employment of the person, including municipal, county, and State law-enforcement files.

(g) Schools and colleges attended by the person.

(h) Former employers of the person.

(i) References given by the person.

(j) Any other appropriate source.

4. Whenever information revealed with respect to any such person is derogatory, within the standard set forth in Part II of this order, the United States Civil Service Commission shall forward the information to the Federal Bureau of Investigation, and the Bureau shall conduct a full field investigation of such person: Provided, that in all cases involving a United States citizen employed or being considered for employment on the internationally recruited staff of the United Nations, the investigation required by this Part shall be a full field investigation conducted by the Federal Bureau of Investigation.

5. Reports of full field investigations shall be forwarded through the United States Civil Service Commission to the appropriate Regional Loyalty Board of the Civil Service Commission. Whenever such a report contains derogatory information, under the standard set forth in Part II of this order, there shall be made available to the person in question the procedures of the Civil Service Regional Loyalty Board (including the opportunity of a hearing) and the right of appeal to the Commission's Loyalty Review Board, in like manner as provided for with respect to employment with the executive branch of the Government of the United States under Executive Order No. 9835 of March 21, 1947, as amended. The Regional Loyalty Board, or the Loyalty Review Board on appeal, shall transmit its determinations, together with the reasons therefor stated in such detail as security considerations permit, to the Secretary of State for transmission to the Secretary General of the United Nations for his use in exercising the responsibility with respect to the integrity of the personnel employed by the United Nations imposed upon him by the Charter of the United Nations and the regulations established by the General Assembly, and in light of the Report of the Commission of Jurists.

6. At any stage during the investigation or loyalty board proceeding the Secretary of State may forward to the Secretary General, in as much detail as the investigative and loyalty review agencies determine that security considerations will permit, the derogatory information disclosed by investigation. This shall be for the purpose of permitting the Secretary General to determine whether or not he should take interim action with respect to the employee prior to the completion of the procedures outlined in this order. The making available of any such information shall be without prejudice to the right of full hearing and appeal as provided for herein.

7. The Secretary of State shall notify the Secretary General in all cases in which no derogatory information has been developed.

#### PART II-STANDARD

1. The standard to be used by a Regional Loyalty Board or by the Loyalty Review Board on appeal, in making an advisory determination as provided for in paragraph 5 of Part I of this order with respect to a United States citizen who is an employee or is being considered for

employment by the United Nations, shall be whether or not on all the evidence there is a reasonable doubt as to the loyalty of the person involved to the Government of the United States.

2. Activities and associations of a United States citizen who is an employee or being considered for employment by the United Nations which may be considered in connection with the determination whether or not on all the evidence there is a reasonable doubt as to the loyalty of the person involved to the Government of the United States may include one or more of the following:

(a) Sabotage, espionage, or attempts or preparations therefor, or knowingly associating with spies or saboteurs.

(b) Treason or sedition or advocacy thereof.

(c) Advocacy of revolution or force or violence to alter the constitutional form of government of the United States.

(d) Intentional, unauthorized disclosure to any person, under circumstances which may indicate disloyalty to the United States, of United States documents or United States information of a confidential or non-public character obtained by the person making the disclosure as a result of his previous employment by the Government of the United States or otherwise.

(e) Performing or attempting to perform his duties, or otherwise acting, while an employee of the United States Government during a previous period, so as to serve the interests of another government in preference to the interests of the United States.

(f) Membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, or group or combination of persons, designated by the Attorney General as totalitarian, fascists, communist, or subversive, or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or as seeking to alter the form of government of the United States by unconstitutional means.

#### PART III-OTHER INTERNATIONAL ORGANIZATIONS

The provisions of Parts I and II of this order shall be applicable to United States citizens who are employees of, or are being considered for employment by, other public international organizations of which the United States Government is a member, by arrangement between the executive head of the international organization concerned and the Secretary of State or other officer of the United States designated by the President.

HARRY S. TRUMAN  
THE WHITE HOUSE,  
January 9, 1953.

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