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Front	Eds	Other
Page	Page	Page

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Congress Should Approve Bill for Right of Privacy

Sen. Sam J. Ervin Jr., D-N.C., chairman of the Judiciary Committee's subcommittee on civil rights, has been working for a long time to protect the right of privacy of federal employes. It looks now like his major bill to that end will clear Congress this session.

The Senate has now passed the Ervin bill, (79-to-4), and it looks acceptable to the House in its present form. Without any expected detriment to the national security, it should go a long way toward enabling the federal government to attract better person-

nel. Too many have been shunted away from public service because of unjustified probing into their private affairs.

The bill as it passed the Senate will prohibit most federal governmental agencies from using questionnaires, psychological tests, or lie detectors to inquire into the personal affairs—religious beliefs, off-duty activities, family relationships, and finances—of prospective employes. Reasonably, we think, the Federal Bureau of Investigation, the Central Intelligence Agency and the National Security Agency are exempt if the agency head determines that such examinations are essential to national security.

The threat to the right of privacy is one of the gravest concerns in our mass democratic society. This has been brought out clearly in several carefully researched works, particularly Alan F. Westin's "Privacy and Freedom" that was five years in the writing. Others include Samuel Dash's "The Eavesdroppers," a book by Sen. Edward Long, D-Mo., a member of the Senate Judiciary Committee, called "The Intruders," and, in private enterprise, Edward Engberg's "The Spy in the Corporate Structure: And the Right to Privacy."

All of these studies as well as the work of the Ervin subcommittee, confirm that legitimate personal privacy is under alarming attack from governmental and corporation policy, as well as sophisticated technology designed to disrobe the individual for public scrutiny. This must be combatted, or the American rule of law, that a person is innocent until proved guilty, will become a hollow mockery. And the personal probers will become an evil prevailing force in national life. What must be resisted is a scientific "McCarthy era."

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