

# Senator's Attack on CIA

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Ervin Hits Lie Detector, Psychological Tests

By JAMES K. BATTEN

WASHINGTON — Sen. Sam J. Ervin Jr., red-faced and furious about backstage lobbying by the Central Intelligence Agency, has denounced the CIA for wanting to "stand above the law."

"They want the unmitigated right to kick federal employes around (and) deny them . . . the basic rights which belong to every American," declared the angry North Carolina Democrat.

Ervin's remarks on the Senate floor amounted to one of the sharpest and bitterest Congressional attacks on the super-secret intelligence agency since its formation in 1947.

The denunciation may be widely felt, because Ervin is a conservative and a member of the Senate Armed Services Committee, which has jurisdiction over the CIA.

HIS COMMENTS came the other day shortly after the Senate leadership, at the insistent request of CIA officials, abruptly scratched from the Senate agenda an Ervin-sponsored bill to safeguard the rights of federal employes.

Among other things, the bill prohibits the CIA and the equally secret National Security Agency from asking employes or job applicants about their sex habits, family relations or religious beliefs as part of lie detector or psychiatric tests.

The only exception is for situations where the directors of the CIA or the NSA determine that such questioning is vital to protect national security.

Late last week, CIA representatives notified several senators, including James O. Eastland (D-Miss.), chairman of the Judiciary Committee, that they wanted a secret hearing for their objections to the bill. Lie detector tests are widely used by the CIA.

The Judiciary Committee reported the bill by a unanimous vote several weeks ago. Ervin has said that the CIA was invited on two occasions to testify during committee deliberations but refused.

Apparently with Eastland's approval, the Ervin bill was not recommitted to the judiciary committee but was placed on

the Senate agenda. Then the bill was suddenly removed from the agenda.

Ervin, in his Senate speech shortly afterward, read a federal law forbidding agencies of the executive branch to attempt to influence the passage of or defeat of legislation before Congress.

"I suggest," Ervin declared tartly, "that the Central Intelligence Agency could leave its polygraph (lie detector) machines long enough to conduct an investigation to determine whether this statute has been violated."

Ervin's position was prompt-

ly supported by Sen. Roman L. Hruska of Nebraska, an influential Republican member of the Judiciary Committee.

Hruska criticized the "very deplorable personnel practices" of the CIA and warned that if the intelligence agency tried to win across-the-board exemption from the Ervin bill, he would fight to remove even the limited exemptions permitted by the committee.

CIA officials have been active on Capitol Hill in the last few days. It was learned that director Richard Helms had appointments with several Judiciary Committee members.

Ervin's sharply worded speech originally was circulated as a private memorandum to other Judiciary Committee members. But when his bill was erased from the agenda, he decided to read his memo into the record.

THE GUARANTEES of the Constitution, he told the Senate, have no limits or exceptions.

"They were meant to apply to all Americans; not to all Americans with the exception of those employed by the Central Intelligence Agency and the National Security Agency.

"My research has revealed no language in our constitution which envisions enclaves in Washington, Langley or Fort Meade, where no law governs the rights of citizens except that of the director of an agency."

The CIA's main headquarters is located at Langley, Va., just across the Potomac River from Washington. The NSA headquarters is at Fort Meade, in nearby Maryland.

Ervin condemned the use of mechanical lie detectors, which he claimed are completely unreliable, as "a species of 20th century witchcraft. . . . I could not pass a polygraph test because my blood pressure shoots up too high."

He also objected to the use of psychological tests. "Do they (the CIA) not know how to evaluate a secretary for employment without asking her how her bowels are, if she has diarrhea . . . if she believes in God, if she believes in the second coming of Christ, if her sex life is satisfactory . . . ?"

Such personnel practices are chasing away from government service some of the nation's most able young people, Ervin warned.

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