ixon Revival of Subvers

By DANA ADAMS SCHMIDT Special to The New York Times

an WASHINGTON, Oct. 5-Senities Control Board, terming it unconstitutional and illegal. William H. Rehnquist and the North Carolina, is chairman of the control board the chairman of the control board the chairman of the control board the contro the board.

order before the Senate Judic-Congress. lary Committee's Subcommittee on Separation of Powers.

security requirements for Government employment. The Eisenator maintained that the reject the reporsenhower order was based on President had rescued the con-only two votes. the Internal Security Act of trol board from oblivion for a Senator Edward J. Gurney, 1950, which had created the political reason that went far Republican of Florida, argued S.A.C.B. and required compul-beyond the Federal Govern-that far from infringing on the

ignated as subversive.

chairman of the control board, the subcommittee and one of than previous orders regulating board was unconstitutional be-groups. cause it violated First AmendThe exchange took place at ment freedoms and illegal becopening of hearings on the cause it usurped the rights of to block the Presidential order.

The hearings represent a sector of the secutive order insured the actor of the presidential order.

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al domain, he said, by expand-appropriations bill and was ac-

belonging to organizations des- cants and thus made the order cans the Presidential order of a fraud.

established order.

A rider that would have had It invaded the Congression- this effect was attached to the President Nixon's order on ing the functions of the concepted in the Senate but reject-trol board, a creation of the President Eisenhower in Congress, without any author-ference report of the two lity from Congress.

Beyond these points the rider Senator Ervin moved to the rider Senator Ervin moved to the reject the report and lost by

sory registration of individuals ment's need to screen job appli-constitutional rights of Amerifered notable new safeguards.

ator Sam J. Ervin denounced
The Internal Security Act and today President Nixon's order successive attempts by Conneviving the Subversive Activates to revive it were struck specified in it as intellectually must be "knowing" before it specified in it as intellectually described to specified in the constitutes a negative factor in down by Supreme Court rul- or politically dangerous to the constitutes a negative factor in considering a person's fitness for employment.

Another improvement,