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**ERVIN SCORES NIXON
ON RIGHTS OF PRESS**

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WASHINGTON, Oct. 20 (UPI) — Senator Sam J. Ervin, Democrat of North Carolina, says he believes the Nixon Administration "has not resisted" the temptation to seek to undermine the capacity of the press to criticize the Government.

Mr. Ervin said yesterday that the Subcommittee on Constitutional Rights, which he heads, would give top priority next year to new laws bolstering the rights of journalists.

"Several developments and incidents over the past few years raise serious questions about the present Administration's understanding of the principles embodied in the First Amendment's guarantee of freedom of the press," Mr. Ervin said.

He said he was particularly concerned about efforts since 1969 by the Justice Department to subpoena reporters.

"It has often appeared that the Justice Department desires to turn journalists into investigators," Mr. Ervin said. "There is always a temptation for high government officials to seek to undermine the capacity of the press to criticize government policies and leaders.

"Expanding government control over broadcasting, government's attempt to prevent publication of the Pentagon Papers, unexplained governmental investigations of newsmen, and proposals to increase dramatically postal rates for second- and third-class mail remind us that the present Administration has not resisted such temptation."

A number of bills were introduced in Congress this year with the aim of limiting the government's right to compel reporters to disclose their confidential news sources to Federal grand juries. None of the measures advanced to final Congressional action. Mr. Ervin said his subcommittee would start work early next year drafting similar legislation.