

SENATOR SAM ERVIN SAYS



There has never been a greater need to protect the private lives of Federal employees from unwarranted Government intrusion than exists today. The problem is more critical than when I first introduced legislation to protect

the individual liberties of Federal employees in 1966. Last week, I therefore introduced legislation identical to the bill which passed the Senate by unanimous consent in the 92nd Congress only to die in the House Post Office and Civil Service committee. Similar legislation has been approved by the Senate a total of four times in the past. Over the years this legislation has become known as the "Federal Employees' Bill of Rights." The measure is designed to assure minimal guarantees of individual privacy and freedom to present and potential employees of the Federal Government.

Reductions-in-force, the administration's effort to cut down the number of positions in the Federal bureaucracy, has served to intensify the pressure of individuals to sacrifice their freedom of speech and action for the sake of Federal employment, job security, and promotion. At the same time, the apocalyptic vision of massive Government data banks monitoring the intimate details of the private lives of Federal employees has become more than just a nightmare. It is a reality.

This legislation seeks to forbid certain Federal employment practices which require applicants to submit to questioning about their religion, personal relationships and attitudes, which have no bearing on job qualifications, through interviews, psychological tests, or polygraphs. It would prohibit requirements that employees attend government-sponsored meetings and lectures or participate in outside activities unrelated to their employment; report on their outside activities or undertakings unrelated to their work; support political candidates or attend political meetings.

It makes it illegal to coerce an employee to buy bonds or make charitable contributions. It prohibits requirements that he disclose his own personal assets, liabilities, or expenditures, or those of any member of his family, unless, in the case of certain specified employees, such items would tend to show a conflict of in-

terest. It provides a right to have counsel or other person present, if the employee wishes, at an interview which may lead to disciplinary action.

The reasons for enacting such legislation are threefold: First is the immediate need to establish some minimal statutory basis for the protection of the rights and liberties of those who work for the Federal Government now and in the future. Second is the need to attract and to retain the best qualified employees for an efficient and effective Federal career service. Third is the special leadership role which the Federal Government plays in the field of employment

practices in government and industry.

The compelling need for this legislation arises out of the hundreds and hundreds of complaints about bureaucratic invasions of employee privacy which have come to my attention as Chairman of the Subcommittee on Constitutional Rights.

The pervasive interference with the outside activities of Federal employees is best illustrated by the recent NASA directive forbidding all communications with the Congress and the White House:

It read: "At no time, under no circumstances, will anyone... communicate directly with

members of Congress and the White House, on any subject, without notifying me and obtaining my approval in advance."

Similar directives, I am told, have been issued by other bureaucrats.

No one pretends that this bill will cure everything that is wrong with the Federal service, but it is a beginning toward safeguarding personal privacy and individual liberties.

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