

Use of Rights Act In Protests Eyed

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The Justice Department is considering use of a provision in the 1968 Civil Rights Act to prosecute college rioters who interfere with Federally aided education programs.

The section makes it a crime to interfere with persons participating in programs and activities receiving Federal aid. It was designed primarily to insure equal treatment for all students, but is being used to protect the rights of protesting students to receive education.

A month ago, Jerris Leonard, Assistant Attorney General for Civil Rights, told members of a Senate Appropriations subcommittee, who were pressing for such action, that "I am under a mandate from the Attorney General to develop specifically the kind of program you are talking about."

But a week later, Attorney General John N. Mitchell told a House Education subcommit-

tee considering legislation on campus disorders that the Department had not yet determined how much jurisdiction the civil rights law gave it to act against campus rioters.

He said the Federal Government might have authority to act against persons who close a science laboratory built with a direct Federal grant. But he doubted that it could act in behalf of students receiving Federal loans administered by the colleges. Mitchell also said policing college violence was primarily a local responsibility and asked for no new legislation.

A Justice Department spokesman said yesterday the question of using the Civil Rights Act on the campuses is still under study.

Leonard, whose testimony was made available in printed form yesterday, was asking for money to hire more people, some of whom would be used in such work, he said. He said that "we are just in the stage of formulating this," and indicated Justice was particularly interested in reaching national leaders of organizations promoting campus unrest.

The House Education and Labor Committee, which is scheduled to begin voting Tuesday on an anti-college-riot bill, announced it will open hearings for one day Monday to hear views of the Administration and eight college presidents. Their testimony is expected to be heavily against the bill, which would cut off Federal aid to colleges that fail to file with the Government guidelines setting limits on student demonstrations. It also would cut off aid to student rioters who violate college regulations or are convicted of a crime.

The Committee invited Health, Education and Welfare Secretary Robert H. Finch, who is away on a week's vacation, and Commissioner of Education James E. Allen Jr., who is expected to testify. Both met with Republican members of the Committee Thursday and stated their opposition to cutting off aid to colleges.

Also invited were the presidents of the universities of California, Texas, Alabama, North Carolina, Michigan, Chicago, Yale and Brandeis.