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Rehnquist 440

By WALTER R. MEARS

Associated Press Writer

WASHINGTON AP - Supreme Court nominee William H. Rehnquist denied Saturday that he engaged personally "in challenging the qualifications of any voters" as a Republican party worker in Phoenix.

Rehnquist said his activities as a GOP election worker were restricted primarily to supervision of mailings sent out to check residency and answering questions on election laws.

He also spoke at schools set up for Republican election day challengers in 1960 and 1962, Rehnquist said.

Rehnquist gave that account in written response to questions submitted by Democratic Sens. Birch Bayh of Indiana, Philip A. Hart of Michigan and Edward M. Kennedy of Massachusetts after the Senate Judiciary Committee refused to reopen hearings on his nomination.

The committee is to meet Tuesday to vote on President Nixon's nominations of Rehnquist and Lewis F. Powell Jr. to succeed retired Justice John M. Harlan and the late Justice Hugo L. Black on the Supreme Court.

The three senators quoted a letter from Judge Charles L. Hardy, a Phoenix Democrat, charging that black and Mexican voters were challenged in 1962 by GOP poll watchers, and were harassed and intimidated by handbills and squads of photographers outside the polls.

There was a well-organized campaign of outright harassment and intimidation to discourage persons from attempting to vote," Hardy said.

Rehnquist said he was not involved in the alleged harassment.

"I neither advised nor suggested that scatter-gun challenges be made on the basis of literacy," he said. "I neither advised nor suggested the handing out of handbills, nor the photographing of voters at the election places."

Rehnquist said that in 1958 and 1960 the major disputes were over the right of Republican challengers to enter polling places.

"I did not realize the change in emphasis of some of the Republican challengers in 1962 until sometime during election day of that year," he said. "I therefore feel that there was no connection between my role and the circumstances related by Judge Hardy."

"In none of these years did I personally engage in challenging the qualifications of any voters," he said.

Answering a question about his 1964 opposition to a Phoenix public accommodations law, Rehnquist said public positions he has taken since make clear that his position has changed.

"In the intervening years, at least in part as a result of having become acquainted with more members of minority groups, I have come to appreciate the importance of the legal recognition of rights such as this without regard to whether or not that recognition results in a substantial change in custom or practice," he said.

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