

MITCHELL OPPOSES CAMPUS VOTE LAW

Asserts Action by Congress
Would Be Discriminatory

Voices Faith in States

NYTimes

SEP 2 1971

By FRED P. GRAHAM

Special to the New York Times

WASHINGTON, Sept. 1—Attorney General John N. Mitchell said today that Congress would discriminate against servicemen and others whose occupations take them away from home if it passed a law giving students the right to vote in the communities where they attend college.

"No case has been made for such legislation," he said in a preliminary appraisal of pending bills to give students the right to vote in their college communities.

The issue has become a sensitive one in many college towns since the 26th Amendment reduced the voting age to 18 years. Local officials, contending that the students could take over college communities, have frequently required the students to register in their parents' home communities.

In a speech he had prepared

Continued on Page 17, Column 1

Mitchell Opposes Federal Law On Student Voting at Colleges

Continued From Page 1, Col. 7

for delivery tonight before the National Association of Secretaries of State, in Saratoga Springs, N. Y., Mr. Mitchell said that it would be discriminatory for Congress to single out students for special treatment.

Copies of the speech were made available here by Mr. Mitchell's office.

"There are many persons who must be away from home at election time," he said. "To make students the subject of special Federal legislation would be to discriminate against the others not so favored, including the 800,000 servicemen who are also in this new age group and are also located away from home."

Mr. Mitchell took note of the fact that the issue has resulted in litigation in at least 15 states and that the high courts of Michigan and California have already ruled that students may vote in campus towns.

He said that states had long experience in applying their

residency laws to students who reached age 21, and that they "should have no difficulty in applying them fairly to students of lower age."

Mr. Mitchell said that the Justice Department did not plan to take part in the controversy by issuing guidelines to the states. For him to interpret a constitutional amendment to the states would be presumptuous and would infringe on a prerogative of Congress, he said.

Replying to criticism that the Justice Department did issue guidelines on compliance with the Voting Rights Act of 1970, he said that it was proper for him as Attorney General to give his opinion as to the meaning of an act of Congress.

Mr. Mitchell cited two restrictions that he said were being imposed in some states in violation of the 1970 law. One is to require a 30-day residency in a state before a voter may register, rather than a 30-day rule for voting. Another is to require a reason for being absent before a voter is given an absentee ballot.