

NYTimes

NOV 13 1971

THE NEW YORK TIMES, SA

Rehnquist's Role in Arizona Elections Is Confirmed

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Special to The New York Times

WASHINGTON, Nov. 12—An Arizona Republican leader confirmed today that William H. Rehnquist, one of President Nixon's nominees to the Supreme Court, was an official in 1960 and 1964 of a Republican program to challenge voters at polling places in Phoenix.

Wayne E. Legg, a Phoenix lawyer who is a liaison man between the state and county Republican units in Arizona, said in a telephone interview that Mr. Rehnquist had directed a "ballot security" program that sent challengers into heavily Democratic precincts.

During the Senate Judiciary Committee hearings on his nomination last week, civil rights spokesmen charged that the challenging program had been a tactic of "harassment and intimidation" designed to delay and prevent voting in Negro and Mexican-American precincts.

Mr. Rehnquist testified that he had never personally challenged anyone at the polls, as the Arizona chapter of the National Association for the Advancement of Colored People asserted in a resolution opposing his nomination.

His testimony was not clear as to whether he had ever had any role in training and directing the challengers, and some persons understood him to be saying that his only connection with the challenging operation had been to act as head of a "lawyers committee"

that advised challengers of their legal rights.

Mr. Rehnquist testified, "My responsibilities, as I recall them, were never those of a challenger, but as one of a group of lawyers working for the Republican party in Maricopa County who attempted to supply legal advice to persons who were challengers, and I was chairman of what was called the Lawyers Committee in a couple of elections, biennial elections, which I believe were in the early sixties."

Today the offices of Senator Birch Bayh of Indiana and Senator Edward M. Kennedy of Massachusetts, Democrats who have questioned Mr. Rehnquist closely about his civil rights views, released copies of news clippings from Phoenix newspapers saying that Mr. Rehnquist was head wof the Lawyers Committee in 1962, but was an official of the challenging program in 1960 and 1964.

Rehnquist Quoted

The Arizona Republic on Oct. 21, 1964, carried an announcement by Mr. Legg, that Mr. Rehnquist had been named "chief ballot security officer" for the upcoming election. Mr. Legg said that in 1960 Mr. Rehnquist was co-chairman of the ballot security program, which Mr. Legg describes as a program to "challenge voters in some of the precincts in which claimed irregularities have occurred in the past."

On Oct. 22 The Phoenix Gazette quoted Mr. Rehnquist's

announcement that two schooling session would be held for those who would act as challengers at the polls.

A Justice Department spokesman said hat Mr. Rehnquist was away this evening and could not be reached for comment. The spokesman said that there was no inconsistency between the articles and Mr. Rehnquist's testimony.

Yesterday Senator James O. Eastland of Mississippi, chairman of the Judiciary Committee, issued a statement accusing two civil rights spokesman of making "highly misleading and exaggerated" statements about Mr. Rehnquist during the hearing.

Referring to the testimony of Joseph L. Rauh, counsel for

the Americans and Democratic Action, and Clarence A. Mitchell, a spokesman for the National Association for the Advancement of Colored People, Senator Eastland issued a 20-page memorandum which he said was intended to correct "groundless" charges against the nominee.

In the memorandum, which will be made a part of the hearing record, Senator Eastland focused much of his criticism on Mr. Rauh's refusal to accept Mr. Rehnquist's denial of membership in the John Birch Society.

"I think this was a malicious and deliberate attempt to distort a good faith statement of the nominee," Senator Eastland said.