

6 Who Quit Justice Join McGovern

By John P. MacKenzie
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Six Civil Rights Division attorneys who quit the Justice Department on Tuesday enlisted yesterday in the presidential campaign of Sen. George S. McGovern (D-S.D.).

McGovern held headquarters gave the lawyers a warm reception and instructions to get ready to hit the campaign trail. Acting Attorney General Richard G. Kleindienst gave them a polite sendoff in a statement defending the Nixon administration's civil rights record.

The attorneys explained their resignations as the result of three years of "dilution of civil rights enforcement" culminating in the administration's proposed antibusing legislation. Some of the lawyers added that Senate hearings on the ITT antitrust settlement and the President's latest moves in Southeast Asia had added to their disenchantment.

At a press conference, the lawyers charged that the administration has "retreated from the national commitment to racial equality" in education and voting rights and, despite some achievements, was far from being fully active in housing.

Asked whether their new allegiance to McGovern might taint their resignations with a suggestion of "politics," attorney Arthur Wolf replied that not until McGovern emerged as a viable candidate did the lawyers see a realistic alternative to working within the Justice Department.

Another lawyer, Arthur Chotin, said the belief that the staff attorneys might still influence civil rights policy persisted until April 25, when Kleindienst replied in part to their complaints by pointing to the duty to enforce laws passed by Congress, regardless of personal views.

"No one had said he would not enforce the laws because of personal disagreement with them," said Chotin. "We do not feel we've had a response."

The lawyers, part of a division force of 128, were among the 90 division attorneys who sent written protests to Congress last month.

The six charged that "now, school desegregation briefs pass through the White House on their way to the courts." A department spokesman said, "it has never been our practice."

Kleindienst and David L. Norman, assistant attorney general for civil rights, issued a statement repeating that department lawyers "must fully and vigorously enforce the laws enacted by Congress whether they agree with them or not."

The statement added, "If they cannot conscientiously carry out policies that may not coincide with their personal views, they should leave. We respect the rights of our lawyers to resign from the department and engage in political activity for a candidate for the presidency."

Kleindienst and Norman said the administration was "completely committed to the advancement of equal opportunities and justice for all citizens" and had backed up its stand with record achievements in the courts.

Besides Wolf and Chotin, the lawyers are Rick Green, Richard Master, Thomas O'Neil and Ruth Zack. A seventh lawyer, James P. Mulkeen, also submitted his resignation. All served in the division's housing section except Chotin, who worked on racial discrimination in federally funded programs.