

Both New York Senators Condemn Ouster of Allen

By RICHARD D. LYONS JUN 11 1970

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WASHINGTON, June 10—Dr. James E. Allen Jr. of New York, who openly broke with the Nixon Administration over the Cambodian invasion, was ousted today as the Government's top education official.

Robert H. Finch, who is leaving his post as Secretary of Health, Education and Welfare for a staff job in the White House, said in a statement that he had "asked for and received the resignation" of Dr. Allen as Commissioner of Education and Assistant Secretary of H.E.W.

The statement said that "the resignation is effective immediately," and that the choice of a successor would be left to Elliot L. Richardson, the new Secretary of the department, after he was confirmed by the Senate.

Shortly after this afternoon's announcement, both of New York's Republican Senators condemned Dr. Allen's ouster.

Senator Jacob K. Javits said, "I am dismayed because I believe that it was very much in the Administration's interest to have so distinguished a leader in education as Commissioner Allen at a time so critical to education as now."

Senator Charles E. Goodell

said, "Any Administration that demands the resignation of a man of the caliber of Jim Allen ought to be ashamed."

Attempts tonight to determine why Mr. Finch dismissed Dr. Allen were unavailing. Neither was available for comment, but a spokesman for Dr. Allen said that he would not comment on his dismissal until a news conference at noon tomorrow.

"When we asked for elaboration, we were told to go with what we had," a department

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Associated Press

Dr. James E. Allen Jr.

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spokesman said after the three-paragraph statement was made public.

Dr. Allen, who earlier this year was accused by leaders of the educational establishment of tacitly supporting the Administration's school desegregation policies, openly opposed the Nixon Administration's Cambodian policy in a statement before Office of Education staff members three weeks ago.

"I find it very difficult to understand the rationale of going into Cambodia and continuing the war in Vietnam," he told 400 applauding department employes at that time.

A month earlier, in April, Dr. Allen, a life-long Democrat, took a stand on pushing school desegregation that appeared to go substantially beyond that of President Nixon and Mr. Finch. At that time, Dr. Allen said that he wanted to end defacto segregation. Administration leaders said that they would not order this done.

Dr. Allen has also publicly complained of political interference by Republican recruiters in his attempts to fill a score of vacancies in the Office of Education.

"I find it difficult to get [appointees] cleared [by Republican recruiters]," he said last month, adding, "I came here thinking I could get the best people I could find."

Sources at the health department suggested that neither the Cambodian affair, nor school desegregation nor partisan politics might have been the only reasons for asking for Dr. Allen's resignation however embarrassing those factors might have been to the Administration.

Officials at the White House and the health department have in recent months been extremely critical of Dr. Allen because of what they contended to be his inability to manage effectively the huge Federal education bureaucracy. They also expressed annoyance because he tended, they believed, to act independently of higher authority.

In Albany 13 Years

Before coming to Washington at the start of the Nixon Administration, Dr. Allen for 13 years was Commissioner of Education for New York State. He was appointed to that post by the State Board of Regents and was answerable only to the board.

During his years in Albany, he did not have to report either to Governor Rockefeller or former Governor Harriman. In Washington, the position of Commissioner of Education is in the bureaucratic chain of command.

In addition, when in Albany Dr. Allen lobbied in the State Legislature on his own for more aid to education. In Washington, others lobbied for him. Last January, he said that Federal aid to education was suffering, although the Administration was supervising more than \$5-billion in Federal education programs.

The disaffection with Dr. Allen by high Administration officials is known to have started months ago, and it was privately understood that a new Commissioner of Education would be sought before summer was out.

The sources in the health department said that the ouster of Dr. Allen was similar to that of Dr. Stanley F. Yolles, who was dismissed as head of the National Institute of Mental Health last week. Critics of Dr. Yolles, who is also a Democrat from New York, insisted that lack of management talent, rather than political views, was the paramount reason for the ousters.

When a report circulated last month that Dr. Allen's resignation had been sought by Mr. Nixon, the President's press secretary, Ronald L. Ziegler, firmly denied it.

Last Saturday, after Mr. Nixon announced that Mr. Finch would be transferred to the White House, the Secretary invited a score of his chief aides, including Dr. Allen, for a three-hour cruise down the Potomac aboard the Sequoia, the Presidential yacht.

Mr. Finch is known to respect Dr. Allen as one of the nation's authorities on the relationships between government and education. But aides said that Mr. Finch was less than pleased with Dr. Allen's performance, even allowing for the lack of staff and the restrictions that the Indochina war has placed on added funds.

Health Department sources said that Mr. Finch wanted to remove Dr. Allen suddenly before the Secretary moved to the White House as a domestic affairs counselor to the President. The Senate is scheduled to start hearings on the confirmation of Mr. Richardson tomorrow.