

U.S. RIGHTS PANEL CRITICIZES NIXON ON SCHOOL BUSING

Says Limited-Travel Plan
Would Undermine Efforts
to Desegregate Classes

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By PAUL DELANEY

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WASHINGTON, Aug. 12—

The United States Civil Rights Commission sharply criticized today President Nixon's policy of minimum busing for integration, saying that such a policy would undermine efforts to desegregate schools.

In a statement adopted unanimously by its six members, the commission attacked the President's order last week that the Department of Health, Education and Welfare set minimum requirements for busing in accepting desegregation plans from school districts.

The White House warned yesterday that Government employees could lose their jobs or be transferred for failure to carry out that policy.

Meanwhile, in Montgomery, Ala., Gov. George C. Wallace ordered the transfer of a white student from a predominantly black school to which she would have been bused 22 miles under a Federal court order. He invited the Nixon Administration to join him in fighting the court's desegregation plan.

'A Common Feature'

The Civil Rights Commission said that the "transportation of students is essential to eliminating segregation." The statement added that for purposes other than integration, "busing has been a common feature of American education."

"What is at issue in this matter is not—to use the President's phrases—busing for the sake of busing or even busing solely for racial balance," the commission said. "The major issue is the kind of education available at the end of the trip."

The commission's statement said that H.E.W.'s plan for Austin, Tex., which included extensive busing, had been courageously accepted, by school officials as the standard.

"What the nation needed was a call to duty and responsibility, for the immediate elimination of the dual school system, and for support of all those officials who are forthrightly carrying out their legal obligations," the commission said.

"Unfortunately, the President's statement almost certainly will have the opposite effect, the effect of undermining the desegregation effort.

"It will almost certainly con-

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erode the position of those school officials who have put themselves on the line to implement the law of the land.

"The President does not offer an alternative to implement the desegregation of the nation's schools. Had he presented an effective alternative, the statement would have found acceptance among those who have waited 17 years after the Supreme Court decision to see the law of the land implemented."

The commission also criticized President Nixon's proposal that Federal funds not be used to finance busing. The proposal is an amendment to a bill that would provide \$1.5-billion for districts that are in the process of desegregating.

"To eliminate a major source

of financial support for busing—an important and potentially expensive remedy for school desegregation—would almost certainly cripple the bill and render it far less effective," the statement said. "The commission is opposed to such a change in this important legislation."

Serious disagreement between the commission and the Administration over integration policies dates to April, 1970, when the commissioners said that the President's school desegregation policy was inadequate, overcautious and might have signaled a major retreat.

Last fall, the agency charged that the Federal Government had virtually abdicated its responsibility in civil rights enforcement.

In today's statement, the commission noted that the

Supreme Court, in the Charlotte-Mecklenburg (North Carolina) decision last April, "expressly recognized that busing is a necessary element in school desegregation."

"Many in this nation, instead of recognizing and accepting this truth, have helped turn 'busing' into an emotion-laden word," the commission said.

It urged that busing "be discussed within the legal and educational context in which it belongs" and added:

"The commission regrets that the President has seen fit to take this position, particularly on the eve of another school year."

Members of the commission are the Rev. Theodore M. Hesburgh, president of the University of Notre Dame, chairman; Stephen Horn, vice chairman, and Frankie M. Freeman, Maurice B. Mitchell, Robert S. Rankin and Manuel Ruiz.