

NOV 24 1971

An OK for Nixon Court Nominees

SFChronicle
United Press

Washington

The Senate Judiciary Committee unanimously approved the Supreme Court nomination of Lewis F. Powell Jr. yesterday, and voted 12 to 4 to recommend Senate confirmation of Assistant Attorney General William H. Rehnquist.

Opposing Rehnquist in the 16-member committee were Democratic Senators Birch Bayh (Ind.); Edward M. Kennedy (Mass.); Philip A. Hart (Mich.), and John V. Tunney (Calif.).

Rehnquist's opponents have a week to write their minority views, but Bayh, who led the opposition in defeating the nominations of Clement F. Haynsworth and G. Harrold Carswell, issued a statement immediately after the committee vote explaining his position.

"I have reluctantly concluded that William Rehnquist approaches the great

See Back Page

An OK for Nixon Court Nominees

From Page 1

questions of human liberty in a way which reveals a dangerous hostility to the great principles of equal justice for all people and individual freedom under the Bill of Rights," Bayh said.

Kennedy commended Rehnquist's "high degree of intelligence and legal ability" but said that "on almost every occasion when he has spoken out . . . his voice has been a voice of resistance to equal opportunity (and) of greater government power at the expense of individual liberty."

The 16 to 0 vote favoring Powell, 64, a Richmond, Va., lawyer and former president of the American Bar Association, foreshadowed little if any opposition to him when the Senate acts on the two nominations, possibly the second week in December.

Aides to Rehnquist's senate foes estimated there were 20 to 25 senators opposed to his nomination. A majority of the 100-member Senate is required for confirmation to the Supreme Court.

Powell's nomination, to succeed the late Hugo L. Black, marks Mr. Nixon's third attempt to place a conservative Southerner on the Supreme Court.

The Senate rejected his nominations of Judge Clement F. Haynsworth Jr., of

South Carolina and of Judge G. Harrold Carswell of Florida.

So far none of the liberal Republicans who voted against Haynsworth and Carswell has opposed Rehnquist's nomination to succeed retired Justice John M. Harlan.

On the contrary, Senator Charles McC. Mathias (Rep-Md.) was among the Judiciary Committee members voting to approve Rehnquist's appointment. Another liberal Republican senator who voted against Haynsworth and Carswell, Mark O. Hatfield of Oregon, also has announced his support of Rehnquist.