

Nixon Busing Stand
Is Sparking Protest
In Justice Division

Special to [NYT]

Washington, April 24 - Another lawyers' protest was reported under way today in the Civil Rights Division of the Justice Department, this time over President Nixon's policy on busing.

Sources in the division said written protests were being circulated and had been signed or agreed to by a majority of the 148 lawyers in the division. A spokesman for the

the 148 lawyers in the division. A spokesman for the department said he knew of no such move.

Several members of the division, however, confirmed that the division had been in an uproar over the matter during the last few weeks.

President Nixon sent to Congress on March 24 legislation to place a moratorium on all new busing orders to achieve school desegregation and to set up permanent restraints on busing. He announced the proposed moratorium on television and radio the night before.

Sources in the Civil Rights Division said most lawyers there were in deep disagreement not only with the President's action but also with two subsequent developments.

The first related to a public protest by Arthur D. Chotin, a lawyer in the department's Voting Rights Section. Mr. Chotin, in a letter in The Washington Post on March 24, said he was "sickened" by the President's television statement.

In the letter, he named some of the martyrs of the civil rights movement and asked: "Were they all murdered in cold blood so that the Presi-

dent might throw us back into a darker age?"

Subsequently, Mr. Chotin was called before David Norman, Assistant Attorney General in charge of civil rights, and was informed that he would be transferred to another assignment. He formally resisted the transfer, and the matter was placed under study. A department spokesman said tonight that Mr. Chotin was still in the same post.

A second matter that upset the lawyers, according to division sources, was a brief filed in the Detroit school desegregation case. In that case the Justice Department intervened to stay any decision ordering additional busing, pending action by Congress on the proposed legislation.

The brief constituted only a short statement, to which was attached President Nixon's statements on the matter and the legislation he submitted to Congress. Some of the lawyers

in the division said this amounted to substituting a political stance for a legal brief, and thus tended to degrade the department.

The Justice Department has been required to intervene in a number of other pending cases, each time seeking to stay new busing orders. Some of the lawyers were reported to oppose such intervention.

Some of the lawyers involved said today that they were prepared to publish at least part of their grievances, but would not release the document tonight.

In 1969, lawyers in the division protested to the then Attorney General, John W. Mitchell, against the Administration's decision to counsel delay in Mississippi desegregation cases. The leader of the rebellious group, Gary J. Greenberg, resigned under pressure from Assistant Attorney General Jeris Leonard.