



HESBURGH FORCED FROM RIGHTS POST

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White House Concedes That
Nixon's Staff Sought and
Received Resignation
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WASHINGTON, Nov. 17—The White House retreated today from its contention that the resignation of the Rev. Theodore M. Hesburgh as chairman of the United States Commission on Civil Rights had been instigated by Father Hesburgh rather than by the Administration.

Ronald L. Ziegler, White House press secretary, made it clear that members of President Nixon's staff had actually sought, and received, the Hesburgh resignation, but he would not give the reason.

Father Hesburgh, an outspoken opponent of President Nixon's antibusing policy, thus became the first appointed official to be removed by President Nixon as he is about to enter a new four-year term under an announced policy of reorganization and changing of personnel.

Yesterday, Mr. Ziegler said the resignation stemmed from a pre-election statement attributed to Father Hesburgh in some newspapers that should President Nixon be re-elected he would resign from the commission, on which he has served since its inception in 1958.

Father Hesburgh, president of

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Notre Dame University in South Bend, Ind., wired the White House this morning denying that he had ever made such a statement. In South Bend last night, he said:

"I did not—repeat not—say that I would resign if President Nixon were re-elected. When asked to comment about this story at the time, I simply denied it. What I did say was that if I were asked to resign by the re-elected President, as is his privilege, I would. He did ask, and I did resign."

Only One Acceptance

Mr. Ziegler agreed that White House staff members had sought the resignation and said it would be accepted. He said the White House had also requested the resignation of the five other commission members but that there was no intention of accepting them at this time.

After the election, Mr. Nixon asked for the resignation of about 2,000 top officials to give him a free hand in establishing the course of government for the next four years.

Father Hesburgh and the commission have been critical of the Administration's enforcement of civil rights, as they had been of other administrations. But it was Father Hesburgh's biting attacks on the Nixon busing policy that raised the ire of Administration officials.

In Congressional testimony, he charged that the Nixon antibusing bills would undermine the progress made in race relations. In accepting the first annual Reinhold Neibuhr award in New York in September, Father Hesburgh said: "There is no legitimate excuse for our politicians to foreclose educational opportunities for generations for deprived blacks because it would be popular with the white majority. No one has the right any more to play games with human life in America."

Less Commitment

Mr. Ziegler said he did not know whom President Nixon would appoint to succeed Father Hesburgh as commission chairman, but the speculation in Washington was that he would pick someone less committed to the use of busing as one means of aiding poor minorities.

In an unrelated matter, Mr. Ziegler said in response to questions that he had been told by White House lawyers that there was "no substance" to a lawsuit filed by Ralph Nader and his reformist citizen group seeking to recover for the Federal Treasury thousands of dollars paid to White House officials while they were working for the re-election of the President.

The suit, filed in United States District Court here yesterday, charged that the salaries of a number of top White House officials should have been paid out of Republican campaign funds rather than with tax money.

Mr. Ziegler said the Administration lawyers considered the suit "without merit and without foundation" because there was adequate precedent for Presidential assistants to work on a Presidential campaign at public expense.

[Remainder of story deals with other matters; not kept.]