

The original documents are located in Box 4, folder “Busing, April-May 1976” of the White House Special Files Unit Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE
WASHINGTON

Trudy,

Now that the flap is over
you can have them back
for your files.

Eleanor

5/21



FILED
[4/7/76]

April 7, 1976

MR PRESIDENT:

Letter from Secretary Mathews
on Busing

The attached memorandum from Secretary Mathews was staffed to Messrs. Cannon, Buchen, Lynn, Marsh and Friedersdorf.

Jack Marsh and Phil Buchen submitted some comments concerning Secretary Mathews' suggestions. They are attached at TAB A.

Further, Jim Cannon and Jim Lynn advised that they spoke to you last week about this matter. I understand that Jim Cannon, the Attorney General and Secretary Mathews are preparing an alternate memorandum that will be forwarded to you shortly.



Jim Connor

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: April 1, 1976

Time:

FOR ACTION:

cc (for information):

✓ Jim Cannon
✓ Phil Buchen
Jim Lynn

✓ Jack Marsh
✓ Max Friedersdorf

FROM THE STAFF SECRETARY

DUE: Date: Saturday, April 3

Time: 10 A.M.

SUBJECT:

Letter from Secretary Mathews on Busing

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

For Your Comments

___ Draft Remarks

REMARKS:

We would appreciate your comments on the attached memorandum before we send it forward to the President.

*Friedersdorf - OK to send in
Marsh - see comments
Buchen - see comments*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor
For the President

Jim -

Staff

Do you want this to get just our regular
"routine manner" note?

Trudy



THE WHITE HOUSE
WASHINGTON

3.30.76

TO: *Jim Connor*

For Your Information: _____

For Appropriate Handling: _____

Pres FYI file

RDL
Robert D. Linder

THE WHITE HOUSE

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Jim Connor
For the President



MAR 29 1976

MEMORANDUM FOR THE PRESIDENT

The best advice I can bring together from across the country leads me to recommend a few basic precepts from which to make judgments on a whole host of complex issues and options on the matter of busing and desegregation.

The best policy position would be one with three basic elements:

- RW
1. It is important that the President first reaffirm the national commitment to the basic moral principle that segregation is incompatible with any good vision of the future of this country and that no child should be denied the benefits of an equal education because of race. Any position that does not begin at this point and clear the air on it will mire down.
 2. Your position on busing can then be restated and expanded by the assertion that because of this moral imperative, we cannot do other than pursue, with all diligence, the issue of the best means. There is evidence that busing is not an effective means in some situations, and we cannot escape an obligation to find better approaches to the problem. It is important at this point, however, not to go on to try to prove that any of the alternatives we now have is a certain cure either. None is. And there are a great many cases where transportation by buses is working well according to the research reports we have.
 3. The "truth" that nobody is saying is that the solution is in taking an approach much broader than concentrating on busing or any of its alternatives. The first part of that solution is to turn the issue away from just a busing question. The busing debate is really not a constructive debate at all, and the issue must be "depoliticized" as much as possible. Perhaps this issue has met a stalemate in the political processes and must be lifted out of that atmosphere and placed in a nonpartisan, nonpolitical

forum for serious and far-reaching reassessment. The suggestion is that you push for real, useful-- not just rhetorical-- attention to the problem.

4. The other part of the solution is to focus on the problem as it really is, not as it seems to be. The issue is not what means are used to achieve desegregation but who controls that decision and how parental and community concerns are taken into consideration. To reframe the case and to focus on reuniting the community and parents with school control has great potential and is the way the cities have had some success with getting on with desegregation.
5. The public feels that the federal government (whether by the courts or the legislative process) has not only failed to solve the problem but has made it worse. Therefore, any solution from any part of the federal government is likely to fail--even if it were the "right" solution. The only good option for the Executive Branch may be to act as a "helper" and a partner to aid communities in helping themselves.
6. Using the precedent of the government to create a national force that is not governmental (the National Academy of Sciences and the National Council on the Arts and Humanities are examples), perhaps we should consider working with local governments and community groups to create a body from the best of the local community, education and parental leadership, titled perhaps the National Community and Education Council. It could work as a mediating force and provide technical assistance to communities to deal with problems before they become crises. In fact, the evidence from successes in Atlanta and Dallas is that citizen alliances of the type the Council should foster were the decisive forces. As I noted earlier, "success" seems to turn most on how well a community goes about making decisions that come up before the question of busing or any other means. The Council could also help cities to get the whole community, not just the schools, involved in voluntary efforts to prevent unhealthy racial isolation and foster constructive human relations.



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Another alternative would be to use the occasion of getting the ESA legislation renewed to allow us to encourage many of the activities that the Council would foster without the fanfare of creating a new agency.

In sum, there do not seem to be any solutions that come from dealing with busing directly or even in searching for alternatives. The best chances for success seem to be in pioneering some new ground. Americans traditionally have solved problems not by changing the problem, but by changing their view of the problem.


Secretary

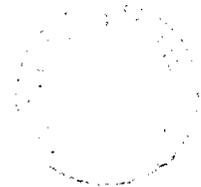


THE WHITE HOUSE
WASHINGTON

April 2, 1976

MEMORANDUM FOR: JIM CONNOR
FROM: MAX FRIEDERSDORF *M.F.*
SUBJECT: Letter from Secretary Mathews on Busing

The Office of Legislative Affairs recommends that subject letter be sent.



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: April 1, 1976

Time:

FOR ACTION:

cc (for information):

Jim Cannon
Phil Buchen
Jim Lynn

Jack Marsh
Max Friedersdorf

FROM THE STAFF SECRETARY

DUE: Date: Saturday, April 3

Time: 10 A. M.

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For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

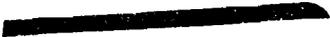
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Jim Connor
For the President



MAR 29 1976

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In sum, there do not seem to be any solutions that come from dealing with busing directly or even in searching for alternatives. The best chances for success seem to be in pioneering some new ground. Americans traditionally have solved problems not by changing the problem, but by changing their view of the problem.

David Matthews
Secretary



THE WHITE HOUSE

WASHINGTON

April 5, 1976

MEMORANDUM FOR: JIM CONNOR
THROUGH: PHIL BUCHEN *P.*
FROM: BOBBIE GREENE KILBERG *Bobbie*
SUBJECT: Letter from Secretary Mathews
on Busing

Secretary Mathews' central recommendation, as explained in paragraph No. 6 of his memorandum, is that the Federal Government work with local governments, educators and community groups to create a mechanism that could provide mediation and technical assistance to communities facing integration problems. The idea is to keep problems from turning into crises and to keep communities out of court. This recommendation parallels one of the options that the Domestic Council has been looking into at the direction of the President.

The Counsel's Office supports this recommendation, but would prefer that the activities it entails be carried out without the creation of a new agency.



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: April 1, 1976

Time:

FOR ACTION:

cc (for information):

Jim Cannon
Phil Buchen
Jim Lynn

Jack Marsh
Max Friedersdorf

FROM THE STAFF SECRETARY

DUE: Date: Saturday, April 3

Time: 10 A. M.

SUBJECT:

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ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

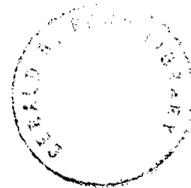
Draft Reply

For Your Comments

Draft Remarks

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Jim Connor
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: April 1, 1976

Time:

*due: 4/3
10:00*

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MAR 29 1976

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Secretary



THE WHITE HOUSE
WASHINGTON

April 3, 1976

MEMORANDUM TO: JIM CONNOR

FROM: JACK MARSH

I have reservations in reference to the attached busing letter. The President, I think, seeks to emphasize as a first priority what might be termed a rule based on quality education. The emphasis of this letter forces more on busing per se than it does on the achievement of quality education. It is my view that the achievement of the goal of equal opportunity without denial of that opportunity because of race, and the achievement of quality education must be compatible goals.

To focus on busing as a means of integration without emphasis on quality education does damage to both purposes.

The suggestion of "nongovernmental national force" seems to have merit. The examples where such a "force" has been used, should be guideposts; however, such "force" should incorporate into the busing question the general proposition of quality education, without denial based on race.





THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

In regard to your directive to me and the Attorney General to make recommendations to you on the school desegregation issue, I would like to give you a brief interim report.

I have been meeting regularly in HEW with our own experts and with experts outside the Department and hope to have an additional analytic paper ready by the end of this month. We have described our work in the Department as having the "highest priority," at your request, but have avoided giving the impression that there is some one task force report coming to you since that might put you on the spot for a response. The public posture has been instead continuous study and discussion.

In general, we have found many reasons to suggest it may not be sound for you to advocate any specific alternative to busing. The effectiveness of any given technique varies widely--none works perfectly.

On the other hand, there is mounting criticism of busing from very progressive quarters (note the enclosed editorial in Saturday Review) and a call for leadership that is both moral and imaginative.

You set a general direction in our last conference in the White House when you talked about the constructive role the Executive Branch would play if its focus was on helping cities stay out of court and on the community building and supporting activities we could assist with before a crisis. We have tried to explore that idea in detail and do feel it is the right policy direction. (But by "community building" we do not mean shifting the burden largely to housing.)



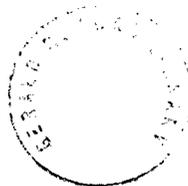
Page 2 - The President

If one follows the general policy direction just described, it is possible to talk about "alternatives to alternatives," that is, positive actions a community can take involving not only schools but other community agencies that can improve education and help eliminate racial isolation.

Faithfully yours,


Secretary

Enclosure



Saturday Review



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Busing Reconsidered

Busing was honestly conceived as a way of coping with the fact that schools in predominantly black neighborhoods were segregated as the result of local geography. The effect of this circumstantial segregation, it was believed at the time, was to lower standards of education for blacks.

But busing hasn't worked. After almost a decade, it seems clear that the principal mistake was to assume that we could create a more socially responsible society by putting the problem on wheels and expecting it to arrive at a daily solution. The evidence is substantial that busing is leading away from integration and not toward it; that it has not significantly improved the quality of education accessible to blacks; that it has lowered the standard of education available to whites; that it has resulted in the exodus of white students to private schools inside the city or to public schools in the comparatively affluent suburbs beyond the economic means of blacks; and, finally, that it has not contributed to racial harmony but has produced deep fissures within American society.

Busing hasn't desegregated the schools. It has re-segregated them. Racial concentration, the core of the problem, continues. Some 30 percent of white families have moved to the suburbs, leaving many large northern cities with

predominantly black schools. For example, in Washington, D.C., 96 percent of the students are black; in Newark, N.J., 72 percent; in Detroit, 70 percent; in Philadelphia, 61 percent; in Chicago, 58 percent; in Cleveland, 57 percent. Does this mean that we must now borrow white students from the suburbs and bus them back to the inner city?

The document that is generally regarded as having provided the impetus for school busing is the 1966 report titled "Equality of Educational Opportunity." It was written by James S. Coleman, professor of sociology, University of Chicago, under the sponsorship of the U. S. Office of Education. Coleman's research showed that deprived students did better when their schoolmates came from backgrounds strong in educational motivation. The general interpretation placed on the Coleman Report was that the practice of segregation had resulted in inferior education for blacks. The conclusion at the time was that putting blacks into white classes offered the best chance of meeting that problem.

Professor Coleman has recently completed a second report. He now presents his somber conclusion that busing has had the effect of replacing old patterns of segregation with new ones. "Ironically," he writes, "'desegregation' may be increasing segregation." He reaffirms the need for ensuring equal protection

under the Fourteenth Amendment, but he believes it is irresponsible to ignore or stand aside from the effects of measures taken for that purpose. "The achievement benefits' of integrated schools appeared substantial when I studied them in the middle 1960s," he says, "but subsequent studies of achievement in actual systems that have desegregated, some with a more rigorous methodology than we were able to use in 1966, have found smaller effects, and in some cases none at all."

A major error in the original decision was to underestimate the extent to which family background is a controlling factor in education. Parents who are poorly educated themselves and who have to contend with prolonged joblessness, overcrowding, and malnutrition cannot reasonably be expected to create a home atmosphere supportive of a learning experience for their children.

What is happening is that we are bypassing the fundamentals in the search for an answer. It is the condition of the black in America that continues to be the central, overriding, and saturating issue. Everything involved in lifting a people out of their low estate in society—housing, health, economic opportunity, nutrition, access to justice under the law—fits into this total challenge.

The first thing that has to be done is to de-politicalize the issue. By this time, busing has become a battleground for liberals and conservatives. There appears to be a feeling among many liberals that to oppose busing is to renounce an essential commitment to a better life for blacks. Many conservatives feel that the busing program is proof positive of the hazards of severe governmental intrusion in matters involving racial and social injustice.

What is needed is a White House Conference for the purpose of making an objective analysis of the busing experience and for proposing alternatives.

It is to be hoped that the persons invited to such a conference would come from many professions and occupations, and not from education alone.

There is no disgrace in having failed in an important social enterprise. The only disgrace is in persisting with failure in order to hold to commitments without regard to the need for keeping an open mind. A country dedicated to human rights should not have to confess intellectual and moral bankruptcy in attempting to provide an adequate education for all its citizens.

N.C.

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

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The President
The White House
Washington, D. C.

THE WHITE HOUSE

WASHINGTON

April 12, 1976

WEEKLY DOMESTIC ACTIVITIES REPORT
FOR THE PRESIDENT



1. Uranium Enrichment

Hearings were completed April 7, and there is some evidence that the Joint Committee on Atomic Energy intends to rewrite the legislation both to permit a commercial diffusion plant and to authorize the government add-on diffusion plant. The JCAE staff believes they have enough information to justify the construction of two diffusion plants.

The House Budget Committee included \$230 million for the add-on in its proposed resolution for FY '77. The Senate Budget Committee did not, and Senator Muskie has indicated he would not add money until Congress acts on this legislation.

It is my understanding that we do not have the technical capability to build two diffusion plants at the same time. If we can start with the commercial plant, we may not ever have to build the diffusion add-on--for the centrifuge process may be ready then.

Jim Connor and I believe that, if the JCAE is going for two diffusion plants, we should ask Representative John Anderson to:

1. Encourage the JCAE to give a priority to the commercial diffusion plant--with the add-on continuing to be a back-up plant;
2. Persuade the JCAE to get their proposal for design and construction of the add-on as far below the Budget Committee's \$230 million as he can.

Approve _____ Disapprove _____



2. Busing

I have had two good discussions with Secretary Mathews about an attempt to find a better approach to this problem. I talked briefly with Ed Levi and will meet with him tomorrow.

At this point, we believe we must develop a concept based on these premises:

- (a) Communities should find solutions on their own rather than have them imposed by the Federal government;
- (b) Remedies can best be reached before any court action begins;
- (c) Any approach must be in accord with Federal law enforcement responsibilities.

If this meets with your approval, I will continue meeting with both Mathews and Levi to develop specific proposals for you.

Approve _____ Disapprove _____

3. Navigability of Waterways

In the wake of Lake Winnepesaukee, other questions about which waters are navigable have been brought to our attention.

Since the Constitution was written, the definition of navigability has evolved to the point where its application often does not make common sense.

As a result, we believe we should ask Secretary Coleman to review the definition with the possible objective of recommending to Congress a more precise and practical interpretation. This review should include an examination of the Constitutional implications, and the advantages and disadvantages of making any changes in the definition of navigability.

Approve _____ Disapprove _____

4. Visit with Governor Rhodes

Jim Rhodes was in town last Wednesday and asked me to give you these comments:

"Don't worry, you have got it made.

"In dealing with Reagan, you are dealing with a wounded animal.

"Nancy is pushing him. After starring in all those movies, his wife won't let him play a supporting role.

"Louie Nunn has been active in Ohio, but the Ohio Republican Chairman (Kent McGough) is pushing through a winner-take-all primary, which President Ford will win. (97 delegates)

"Stay on the free enterprise jobs, the tax cuts, and the spending cuts.

"Stop everybody from talking about who is going to leave the Administration.

"And don't worry."



THE WHITE HOUSE

WASHINGTON

May 17, 1976

WEEKLY DOMESTIC ACTIVITIES REPORT
FOR THE PRESIDENT

1. Uranium Enrichment

Last June you decided an important principle--that future U.S. production of enriched uranium will be done by private enterprise--and you asked Congress to write that principle into law.

The bill that the Joint Committee on Atomic Energy has ordered to be reported does adopt that principle. There is a price, however:

- a) Each ERDA contract with a private company must be approved in 60 days by a concurrent resolution of Congress to be a valid contract.
- b) The JCAE bill and committee report imply a commitment to build a \$3 billion Portsmouth, Ohio add-on plant; but the limited authorization (\$255 million) implies the opposite.

After weighing all elements of the JCAE bill, OMB, NSC, ERDA, Congressional Relations, the White House Counsel, Jim Connor and I all agree that this is a victory for you, we ought to proclaim it, and go all out to get Congress to pass it as quickly as we can.

APPROVE

DISAPPROVE



2. Food Stamps

No suit has yet been filed to block your administrative reforms which begin to be effective June 1, 1976. We understand that the Food Research and Action Committee has been shopping for a judge and is leaning now toward a Kennedy appointee in northern Minnesota. As soon as the suit is filed, we will schedule your meeting with Attorney General Levi, Solicitor General Bork and Secretary Butz to discuss how we will win the lawsuit.

3. Busing

We are working on three possible approaches to help a community avoid a court order to bus:

- a) A "School Mediation Service," somewhat like the Federal Mediation and Conciliation Service for labor-management disputes, which could, at the invitation of local officials, send a mediator to attempt to work out a solution on school desegregation before a Federal Court order to bus. Secretary Usery believes this could work.
- b) A Federal "clearing-house" of information and technical assistance, which could be made available to a community at its request to help work out a solution before busing is ordered.
- c) A modest Federal fiscal incentive to assist a community leadership group in working out a solution to its school desegregation problems. The federal grant would match funds locally raised and could continue for no more than three years. The incentive funds would also be shut off if a Federal Court ordered busing.



rep 5/31

THE WHITE HOUSE

WASHINGTON

May 25, 1976

MEMORANDUM FOR: THE PRESIDENT

THROUGH: RICHARD B. CHENEY

FROM: DOUGLAS P. BENNETT *DPB*

SUBJECT: Board of Trustees of the American Folklife Center.

Attached for your signature are commissions for the following-named persons to be Members of the Board of Trustees of the American Folklife Center:

For a term of two years

Mitchell P. Kobelinski, of Illinois, Administrator of the Small Business Administration.

For a term of four years

Michael P. Balzano, Jr., of Virginia, Director of ACTION.

Morris Thompson, of Alaska, Commissioner of Indian Affairs, Department of Interior.

For a term of six years

Gary Everhardt, of Virginia, Director of the National Park Service, Department of Interior.

All necessary checks have been completed. This action reflects your decision of May 7, 1976.



THE WHITE HOUSE
WASHINGTON

May 7, 1976

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: DOUGLAS P. BENNETT
FROM: JAMES E. CONNOR *JEC*
SUBJECT: Members, Board of Trustees,
American Folklife Center
(PA, WAE) Four Members

Confirming a phone call to your office of this afternoon, the President has reviewed your memorandum of May 4th on the above subject and has approved the appointment of the following to be Members, Board of Trustees of the American Folklife Center:

Mitchell Kobelinski for a term of two years

Michael P. Balzano, Jr. for a term of four years

Morris Thompson for a term of four years

Gary E. Everhardt for a term of six years



cc: Dick Cheney

MAY 29, 1976

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

The Attorney General has notified me that after a thorough review, he has decided that the Department of Justice should not file a brief in the Boston school desegregation case at the current stage of litigation.

The Attorney General also pointed out that for over two decades the Department of Justice has entered virtually every school desegregation case that the Supreme Court has agreed to review. If the Supreme Court agrees to review the Boston case, the Department of Justice will follow past practice and enter the case at that time.

I have informed the Attorney General that I respect his decision not to intervene at this time and agree with him that the decision in no way reflects upon the merits of the case.

I have directed the Attorney General to continue an active search for a busing case which would be suitable for judicial review of current case law on forced school busing, and to accelerate his efforts to develop legislative remedies to minimize forced school busing. It is my intention to send a message to the Congress recommending such legislation at the earliest possible time. In addition, I shall meet next week with the Attorney General, the Secretary of Health, Education and Welfare, and other members of my Administration to review other possible actions that can be taken to provide communities with assistance in achieving equal educational opportunity for all.

My objective is to create better educational opportunities consistent with the Nation's commitment to justice and equal opportunity. In my view, massive school busing, while done with the best of intentions, has too often disrupted the lives and impeded the education of the children affected. I believe that ways can be found to minimize forced busing while also remaining true to the Nation's ideals and our educational goals. That is my objective.

#



Q Why doesn't he say integrated education then?

MR. NESSEN: I don't know, Helen.

O Ron, there was more to this busing thing which you haven't read, in which he suggested some of the alternatives that he is considering.

MR. NESSEN: That is right, and it is all being Xeroxed now so we can give it out to you.

O Is there more on this subject that you haven't told us about?

MR. NESSEN: We are having this Xeroxed.

There was a question, "How do you propose to get a quality education?" "There are a number of alternatives." He talks about the Esch amendment -- if the courts would follow that they could get quality education without busing.

"Secondly, there are programs that Mathews is submitting to me as a result of my ordered study that I think will be helpful in alleviating the problems, so we are trying to find something that is a better remedy than these decisions by the various courts, and I can assure you that this is under study and that these recommendations were done well before any Presidential campaign was undertaken."

O Do you have any details on what the alternatives are?

MR. NESSEN: No, as he said yesterday, he is not going to put out what they are at this time until he has decided which ones to recommend.

O Yesterday he said there were three alternatives he was considering.

MR. NESSEN: Right.

O Today he mentions one and very broadly the second is a review of everything. Are there really three alternatives? Is there a study going on?

MR. NESSEN: Did you doubt the President would say something if it weren't the case?

O I would just like to know what he means.



MR. NESSEN: On the 19th of February Jim Cannon submitted this five-page proposal with nine proposed alternatives, or other methods of achieving quality integrated education without forced busing, and attached to it recommendations from various members of the staff. The President sent that out saying that it looked like this study was on the right track and saying that he particularly was interested in following up on recommendations or proposals A, B, D and E.

Then, on the 17th of May, 1976, which was last week, I guess, four days ago, Jim Cannon of the Domestic Council sent in a two-page memo bringing the President up-to-date on the three matters which are currently under study by the Domestic Council -- uranium enrichment, food stamps and busing.

In the busing category, Cannon says, "We are working on three possible approaches to help a community avoid a court order to bus: A, B and C," and there they are.

O Keep reading. A is what, B is what, and C is what?

MR. NESSEN: I didn't relish the suggestion that there were not three alternatives somewhere that the President had seen.

O Didn't he say one of the alternatives was to strengthen the Esch amendment? Was that not said or alluded to in the interview?

MR. NESSEN: He said it in the interview. It was not one of the three proposals listed here. It was mentioned in the interview.

O Ron, was one technical assistance to local communities?

MR. NESSEN: As he said yesterday, "I am not going to indicate what the three proposals under study are."

O May I have that line again, to help the communities what?

MR. NESSEN: "We are working on three possible approaches to help a community avoid a court order to bus," then a colon, then three possible approaches.

O Did you say the Esch amendment is not one of those three?

MR. NESSEN: It is not one of those three. It is one he mentioned in his meeting with the Tennessee reporters today as one additional way to --



Q So, it is up to four now?

MR. NESSEN: I suppose, yes.

Q Ron, did you make any effort to ask that the Attorney General appear here, or were you asked not to?

MR. NESSEN: I think we went through that subject.

Q I didn't hear your answer, Ron.

MR. NESSEN: I think we went through that subject, Les.

Q I know, but you didn't answer the question. Did you ask the Department of Justice if Attorney General Levi could meet with reporters or not?

MR. NESSEN: As I said before, the indication from the Justice Department is that he will go back to the Justice Department after --

Q They told you that before you asked, is that it?

MR. NESSEN: You have these three, plus the one he mentioned in the interview, which is to strengthen the Esch amendment.

Q And then going to the court is a fifth --

MR. NESSEN: Yes, a separate one. That goes back to the meeting of last November, which had really two subjects: One, alternatives to busing, specific proposals for it; and two, the directive to Levi to find a case to bring the matter to the court.

Q I would like to ask you a question I asked a day or two ago on this.

MR. NESSEN: Can the record show I am doing all this talking and raising this issue in response to lots of questions and haven't volunteered anything on my own?

Q Don't you think it is an important subject?

MR. NESSEN: I think it is a very important subject, Helen, but the thing, as you can probably tell, I am not crazy about is some idea that the White House has raised this issue this week.

Q Don't you think your decisiveness is overdone?

