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THE WHITE HOUSE
WASHINGTON

INFORMATION

October 11, 1974

MEMORANDUM FOR: THE PRESIDENT
FROM: KEN COLE
SUBJECT: BUSING IN BOSTON

GRF

Mayor Kevin White's news conference of yesterday, where he demanded Federal aid in implementing the forced busing decision, was largely a reaction to the lecture he received from Federal District Judge Garrity: in turning down White's request that the Judge order Federal marshals to Boston, Garrity pointedly informed White that both he and the Governor were also sworn to uphold the Federal Constitution and that he was holding them responsible for insuring the public peace.

I accepted Governor Sargent's phone call for you yesterday afternoon after you left for Detroit. He said he might call out the National Guard if the situation continues to deteriorate. I strongly recommended he work personally with Deputy Attorney General Silberman, who has been our point man on this issue.

Since Monday is Columbus Day, if they make it through today, there will be a three day respite which may help considerably.

Options

1. Stay out of the situation completely by utilizing the Department of Justice, and particularly Larry Silberman. Previously, Federal troops have never been dispatched unless the Governor certified by telegram or letter that the National Guard was incapable of preserving the public order.
2. Tell Governor Sargent that Federal marshals or troops will be dispatched upon his request, regardless of whether the National Guard can cope with the situation.
3. Try to find Federal monetary assistance per Mayor White's demand.

Recommendation:

I strongly recommend having the Governor and the Mayor attempt to handle the problem in the first instance. There is no need at this point for Federal involvement and Sargent seems willing to work with Silberman as the situation progresses. I also think there should be a quiet search for available Federal funds, but no public comment on this aspect.

I have attached a more detailed description of the legal situation from the Department of Justice at Tab A.

Governor Sargent may call you this weekend. I recommend you should take the call and utilize the talking points attached at Tab B.

Attachments