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THE PRESIDENT HAS SEEN...

THE WHITE HOUSE
WASHINGTON

April 7, 1976

MR PRESIDENT:

MT

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

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THE PRESIDENT HAS SEEN . . .



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

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.

The courts might find such a body a welcome referral point (that is, to get ideas but in no sense would it be proper for such a council to be an agent of the courts), and cities or community alliances might find it a source of good ideas and even endorsement.

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

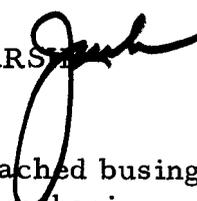
WASHINGTON

April 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 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.