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NEWS CONFERENCE

#497

AT THE WHITE HOUSE

WITH RON NESSEN

AT 11:35 A.M. EDT

MAY 21, 1976

FRIDAY

MR. NESSEN: The schedule today you pretty well know about. There is the meeting with the Agricultural Policy Committee. If anybody is interested in that, you can have some pictures or a pool in at the beginning. If there is any interest in a report on the meeting, Jim Cavanaugh of the Domestic Council will be available afterwards. I don't think we will have a briefing on it, but he will be available to answer your questions.

Q You mean call him?

MR. NESSEN: He will be hanging around here in the Press Office.

The President is meeting General Haig this afternoon. I think you know that is on the schedule. That is a review of NATO matters.

Q Will there be a photographic opportunity for that?

MR. NESSEN: I wouldn't think so. It is a routine meeting.

Q Why not?

MR. NESSEN: It is a routine meeting.

The diplomatic credentials are being presented at 2:00 by the Ambassadors from Bolivia, Czechoslovakia and the Yeman Arab Republic.

Q On the Haig meeting, is he here specifically for this session or is he in Washington on other business?

MR. NESSEN: He is in Washington for discussions with U.S. officials. It is a return home to discuss with a number of people matters of importance currently in NATO.

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*Friday
5/21/76*

Q So, he didn't come here --

MR. NESSEN: Just for the Presidential meeting, that is right. He is meeting with others.

Q Ron, do you know why Haig is here now when Kissinger is off in Oslo?

MR. NESSEN: I don't know what that indicates about anything.

Q If he was going to talk about important matters concerning NATO, one would think he might talk to the Secretary of State.

MR. NESSEN: Then, let's see, that is about it for the schedule today.

Q How about Levi?

MR. NESSEN: The Consumer Price Index --

Q Isn't the Attorney General coming in?

MR. NESSEN: That is on the schedule, isn't it, for 2:30?

Q You neglected to mention it.

MR. NESSEN: It is on the schedule.

Q Will there be a pool on that, too, Ron?

MR. NESSEN: No.

Q Would you expect there will be an announcement or a briefing on the busing issue?

MR. NESSEN: Out of the White House?

Q Out of the White House or out of Mr. Levi while he is in the White House?

MR. NESSEN: I certainly don't anticipate we will have anything here.

Q Is there any reason Mr. Levi can't come out here and brief us?

MR. NESSEN: There is no plan for him to come out here.

Q Why not? If you can make Cavanaugh available on a meeting that precedes that, why not make the Attorney General --

MR. NESSEN: His plan is to go back to the Justice Department. That is my understanding.

Q Will you ask him if he will see us before he goes?

MR. NESSEN: I have already talked to the Justice Department, and he does not plan to see the press over here.

Q Is there any reason for the White House and the Justice Department keeping the results of this discussion secret?

MR. NESSEN: I am not sure there are any results. My understanding is that the Attorney General is coming to give the President more or less of a progress report on his efforts to see whether there is any case where it would be proper for the Federal Executive Branch to intervene with the Supreme Court to have a review of busing as the proper remedy.

It is a progress report. He is going to tell the President, I understand, what considerations he is taking into account as he deliberates this question, and my understanding again is that he is not ready to make a decision on whether there is such a case and, if so, what case it is.

So, that is the purpose of the meeting.

Q Wouldn't it be appropriate --

MR. NESSEN: As I say, there is no plan to have a press briefing here --

Q Wouldn't it be appropriate to make that information available to the public?

MR. NESSEN: There is no plan here, Dave, for the Attorney General to see the reporters after the meeting.

Q I notice that meeting is set for the Cabinet Room. Who all is going to take part in it?

MR. NESSEN: That may be a mistake because it is a very small group. I don't know anybody else from the Justice Department who is taking part other than the Attorney General.

Q Who from the White House?

MR. NESSEN: I have not seen the complete attendance list from the White House.

Q Of the list you have seen, who is going to be there?

MR. NESSEN: I haven't seen any attendance list. I assume it will be Buchen and somebody from the Domestic Council, and that is about it.

Q Is there a photo on that?

MR. NESSEN: No photo.

Q In response to a question in the Rose Garden the other day, the President said very specifically that he expected Mr. Levi to come to see him with a decision this week. What has changed in the interim?

MR. NESSEN: I don't know. You will have to ask Mr. Levi. This is a matter that is in his hands.

Q You said, "It is my understanding he is not ready." On what basis? Is this from the President, Mr. Levi or what?

MR. NESSEN: The President had no idea what the report will contain.

Q If the President doesn't, how do you?

MR. NESSEN: I called the Justice Department this morning.

Q And that is what they said?

Q Were you present in the interview with the Tennessee representatives today?

MR. NESSEN: I was.

Q Did the subject of busing come up?

MR. NESSEN: It came up in a passing way, yes.

Q How passing? Can you tell us what he said?

MR. NESSEN: Nothing really new, I don't think. Actually, I decided before I came out here today that I wasn't going to answer any questions on busing because every time I answer questions on busing for the past four days there is a big story about how the White House is raising this issue for political purposes.

So, I decided to avoid that charge for the fifth straight day, I wouldn't answer any questions.

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Q You say when the Attorney General comes in today he will not have made any firm decision?

MR. NESSEN: Helen, this is my understanding from a phone conversation with the Justice Department today. But that is his decision, and whether he has made it or not and what it is, that is something he has --

Q You said he has not made it.

MR. NESSEN: My understanding is he has not made it, but I am not the source of information for the Justice Department.

Q Who is?

MR. NESSEN: Bob Havel.

Q Does he know you are doing this, Ron?
(Laughter)

MR. NESSEN: That is what his job is. His number is 739-2028.

Q Why are we barred from seeing him?

MR. NESSEN: I don't know what you mean by "barred from seeing him," Helen. He is coming to give the President a progress report and he is going back to his department.

Q He has been ducking reporters all week.

MR. NESSEN: I don't know anything about that. You know if he didn't duck reporters, Dave, I expect there would be stories about the Attorney General seeking out reporters to hypo this story in a political way.

Q Why did the President say Louisville was under consideration yesterday when Havel says it isn't?

MR. NESSEN: First of all, the President did not say Louisville is under consideration, and Havel did not say it isn't, so we can get rid of those two false assumptions first.

The President said -- and if you will read the transcript you will see what he said -- "It could be Louisville. I don't know." The fact is it could be Louisville. The President was using that as an example that with the overall policy direction he has given to the Attorney General to find a case, if there is one, that is appropriate to raise the issue of busing with the courts, it could be any of the busing cases that are working their way through the courts -- Boston, Louisville, Pasadena -- any of them, and he was using Louisville in that sense.

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Q Why does he mention Louisville?

Q Havel said yesterday it was going to be the case under consideration in Boston.

MR. NESSEN: I can see what is going to happen. It is going to be the fifth straight day of stories saying the White House raised the issue for political purposes, so I don't think I should answer questions--

Q I won't, and I am sure all these people won't, and we will all take a pledge. How about that, Ron? (Laughter)

Q The case in Pasadena has been argued before the Supreme Court.

MR. NESSEN: Somebody said about two days ago what other cases have been considered, and I said I know at one time the Justice Department considered Pasadena.

Q Yesterday, Bob Havel said -- or at least he was quoted in the New York Times as saying -- that Levi believes busing is a legitimate remedy for school segregation, and the story in the Times indicates there is a conflict between Ford's attitude and Levi's attitude.

MR. NESSEN: I don't know what the Attorney General's attitude is on this matter. It is a complex legal question, as I have tried to indicate over these past few days.

Q Did you see the story in the Times this morning?

MR. NESSEN: It was hard to understand because it was all garbled, but I got the general thrust of it, yes.

Q Did you ask the President about it this morning?

MR. NESSEN: I didn't know what there was to ask him, Mort.

Q Well, is there a conflict between Levi and Ford on this?

MR. NESSEN: You know what the President's position is, and I don't know what the Attorney General's position is. My understanding is that Havel does not agree and in fact strongly disagrees with the thrust of that story, but that is something you need to talk to Havel about.

Q Are you saying he has been misquoted, misgarbled or what?

MR. NESSEN: I think you have to talk to Havel on that, Jim.

Q Anybody need the Times phone number?
(Laughter)

MR. NESSEN: Very well done, Jim.

Q There were a couple of source stories yesterday out of the Justice Department indicating that Levi seems to feel that he is under some pressure to make a decision now on whether it ought to be Boston or not when he preferred to not make the decision right now. Is the President or the White House pressuring Levi to come up with a decision now?

MR. NESSEN: He certainly is not. The President gave this overall policy direction last November, and I think the reason for all the questions that we have had for five days now, which have led to stories saying the White House has raised this issue and which I said yesterday I think is a bad interpretation of what has been going on here for five days -- as you know, this whole current round of interest in this matter arose last Thursday or Friday, I believe, because of someone -- well, certainly not in the White House and not in the Justice Department -- telling some reporters that Boston was under consideration as a case in which the Federal Government might intervene.

Q How do you know it wasn't somebody from the White House or Justice Department?

MR. NESSEN: Because I think I know who it was.

Q Senator Brooke?

MR. NESSEN: So, that comment from someone out of the Executive Branch of the Government to reporters set off the five days of interest in this story and there is no pressure from the White House, there is no effort by the White House to evaluate, talk about or answer questions about this as any sort of political effort.

I really am sure there will be a fifth day of stories saying the White House again pressed this--

Q What is there to worry about? It is a legitimate story?

MR. NESSEN: It is an incorrect story, Helen, to say that anything I have said here or the President said over the past five days has been done for political reasons.

Q Nobody has said that.

MR. NESSEN: That is what I have been reading for five days.

Q Then why not put Levi out here and let us talk to him?

MR. NESSEN: I didn't have anything to do with the Attorney General's plans for what he intends to do.

Q Couldn't you plead with him, Ron?

Q I want to ask something here. Was this meeting with the Attorney General set up a week ago, more than a week ago or was it set up this week?

MR. NESSEN: As far as I know, the Attorney General asked for the meeting yesterday or the day before.

Q How can you say there is no pressure for Levi to bring a decision when the President stood out there and announced that there would be a decision this week? That flies in the face of your contention.

MR. NESSEN: I have to see what he said because I don't know that he has said anything that strongly because it is the Attorney General's decision.

Q You invited Levi to bring the case to his office the other day, didn't you?

MR. NESSEN: Who did?

Q You did. You said that the President told --

MR. NESSEN: Oh, Roger, come on now. The President was walking over to an event and I don't know what the exact dialogue was, but in the course of that he said, "When you have made your decision, if you want to inform me about it, I would like to hear about it."

Q He said yesterday he wants to be, demanded that he be informed of the decision.

MR. NESSEN: I wouldn't say demanded. He wants to be informed of Levi's decision.

Q When the President speaks to a member of his Cabinet, it is an order.

MR. NESSEN: He will be informed of Levi's decision.

Q Since the President presumably has a passing opportunity this morning to set all of this straight in the interview, what did he say?

MR. NESSEN: I would be happy to make available more Xeroxes. I don't think what he said today really adds a great deal to the story. He was asked, "Why did you choose this particular time" -- one of your basic skeptical questions coming up there again -- "for considering a revision of your busing policy, and is it possible your Presidential disposition toward the ERA and abortion are also going to be under reconsideration?" (Laughter)

"Let me take the busing situation first." Then he reviews that last fall and November he had a meeting with Levi and Mathews because "I was disappointed in some of the developments that were taking place around the country where courts were ordering forced busing to achieve racial balance.

"For 15 years I have opposed court ordered forced busing. It is not the best way to get a quality education; so this study that I ordered has been something that has been in the process for a number of months. It had no relationship whatever to any Presidential campaign. I am against segregation. I am for quality education, and there is a better way of getting quality education than by court ordered forced busing."

Q How about putting it out?

MR. NESSEN: I will.

"I believe between the Secretary of HEW and the Attorney General we can find some way, with the cooperation of the court, to get quality education without court ordered busing."

Q What about getting desegregation without court ordered busing? What is this quality education?

MR. NESSEN: He says, "I am against segregation."

Q Yes, but he talks about getting quality education through busing. It is a better way to get quality education. Is there a better way to get desegregated education?

MR. NESSEN: When he says quality education -- Fran, I think you ask me the question probably periodically and each time you ask me the question I always give you the same answer, which is, when he says quality education he means quality integrated education.

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.

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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?



MR. NESSEN: I am perfectly happy to talk about it. I have talked about it for four days, four hours this week, and a fifth hour today. I am perfectly happy to talk about it. I have done a lot of work to dig out answers to your questions. The part I don't like about it is my digging out the answers to your questions indicates that I or the White House are evaluating it or "hypoing" it or bringing it to your attention and the public's attention.

Q Where have you seen that?

Q On the other hand, Ron, couldn't the White House be fairly accused of deliberately suppressing information about this meeting today? A very calculated decision?

MR. NESSEN: I don't think so, Dave. I don't know what Levi is going to say, neither does the President, for that matter, except for this broad, general outline that I received on the phone today.

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Q Will you be at the meeting, Ron?

MR. NESSEN: Yes.

Q Ron, will you suggest that the Attorney General be available?

Q Last November, did the President know he would be running for election this year?

MR. NESSEN: I think he indicated -- what sort of trap am I stepping into here, before I answer? Let me look at the land mines out there.

Q You keep referring to last November in trying to refute that there is anything political about it. I would like to know if last November he was planning on running for President this year?

MR. NESSEN: I think you know what the record is, Tom. I will let you make that point.

Q Is he aware busing is a very sensitive political issue?

MR. NESSEN: I will let you make that point, too, Tom. I have tried all week here, without any success, to indicate that this is a matter -- at least the attention focused on the matter is something that we have not done in the White House. It is a matter that has most recently come to the public attention because of someone outside the Executive Branch and I have been asked a lot of questions and have made the effort to get the answers.

I mean, the alternative would have been what I jokingly said I was going to do today, which was to refuse to answer any questions about busing. I have tried to be responsive to questions about busing.

Q Why didn't you answer all these questions earlier when it was going along step-by-step so the country could know what was being considered?

MR. NESSEN: I think we have, Fran.

Q Why can't we have a list of these proposals that are under consideration?

MR. NESSEN: That is not possible.

Q Can you give us the three you referred to on that list?

MR. NESSEN: The President said yesterday he preferred not to.



Q Ron, last summer the President said, when he was asked several times about busing, maybe during the Vail trip or just before, when he was in Peoria, he talked about it, and in there he talked about clustered schools as being one possible alternative, and he talked about building non-segregated housing.

Now, are those among the alternatives, or has he dropped those? Are those still live options?

MR. NESSEN: I think I am going to take the position the President took, that he does have alternatives and ideas under consideration and, when he makes his choices and is ready to announce them, he will. But I think he deserves, on this matter and other matters, the opportunity to consider recommendations and ideas without having them discussed publicly before he has a chance to make his choices.

Q His last words on this are those. Should we consider those remarks as no longer operative?

MR. NESSEN: Which are those, John?

Q Clustered schools and not building segregated housing.

MR. NESSEN: I am going to do what the President did yesterday, which is to say that he --

Q Take the Fifth?

MR. NESSEN: -- to say he has under consideration at least three alternatives and ideas, and when he is ready to announce them he will.

Q Ron, when can we expect the plan to unveil the secret plan? Is there a timetable?

MR. NESSEN: I don't think you ought to build this up in your mind as a secret plan, seriously, because --

Q You know, that has been a tack taken in the past.

MR. NESSEN: I know, but I don't want you to get your minds all set and your appetites aroused for some gigantic secret plan to avoid busing.

Q That other one never came about, either?

MR. NESSEN: I know. I remember that other one. This is a series of steps and he might or might not adopt them. He might ask for more study. He might change them. They might be announced one at a time or altogether. Please don't get it in your mind that there is some gigantic thing that will be announced.

Q Ron, let me ask a basic question. Why does the United States have to go to the Supreme Court as a friend of the Court to get them to change the law of the land? If there is an alternative to school busing which will achieve quality, integrated, desegregated education, then no sane judge in the United States would order busing. Isn't it a little like the death penalty--we leave it on the books and never use it?

MR. NESSEN: I am not sure I understand your question, Saul.

Q If there are alternative plans, why ask the Supreme Court to upset what it has declared the law of the land?

MR. NESSEN: I think the President's original policy directive to Levi last November was to see if there was a case that seemed to be proper and appropriate to ask the Supreme Court to reexamine busing as a remedy and to explore alternative solutions which would be less destructive to the fabric of community life.

Q Can we assume the Government -- the Executive Branch won't submit to the Supreme Court alternatives which it would like the Court to substitute for forced busing?

MR. NESSEN: I can't project that far ahead.

Q Ron, in the same area as Saul's question, until you started talking about some alternatives, some of which you identify and some you don't --

MR. NESSEN: Wait a minute. This talk about alternatives -- as I read you in a transcript of a briefing of last November 22 which referred then to previous statements that I had made -- this was last November 22 at a briefing where I said, "If you recall, the President has said publicly on a couple of occasions that he has asked the Attorney General and the HEW Secretary to consider alternatives to busing. They have been doing that and we wanted to discuss their views with the President."

So, to suggest that I, this week, am raising alternatives to busing is wrong, Jim. The Administration is not mentioning alternatives to busing for the first time this week.

Q When you say "until," that doesn't imply a time. I will rephrase my question because of your sensitivity. (Laughter)

MR. NESSEN: I am a sensitive person, Jim.

Q The only alternatives that have been listed are those listed in the Esch amendment. Before I go on with my question, do you want to disagree with that?

MR. NESSEN: I would like to ask what do you mean by the alternatives listed?

Q The Esch amendment consists of a list of alternatives that the Court is supposed to take into consideration before they order busing.

MR. NESSEN: That is correct.

Q My question is this: The courts have done just exactly that. Judge Marriage did that in Richmond; Judge Garrity did it in Boston; and the Judge in Corpus Christi did it. They have taken into consideration the alternatives.

Does the President consider these judges gave insufficient attention to those alternatives, or does he consider they were negligent or does he consider their decisions were bad law? They came up with the conclusion the alternatives would not suffice and that busing was the only way to achieve integrated education.

My question is, since these three judges did consider alternatives to busing, what is the President's reaction to their decisions? Does he consider that they give insufficient attention to the alternatives, or that their decisions were bad law, or what?

MR. NESSEN: I don't know. That question has come up before. I don't have an answer. I am not enough of a lawyer, for one thing.

Q I am asking about the President. The President is certainly familiar with the Boston decision, the Richmond decision and I suppose the Corpus Christi decision. What is his reaction to them since they did indeed examine the alternatives and found them inadequate or found they would not accomplish integrated education?

MR. NESSEN: I don't have the answer to that question.

Q Would you attempt to find out?

Q The President is a lawyer. He would know. You are not a lawyer, but the President is.

Q Ron, may I ask if there are circumstances in which the President would accept busing as the appropriate, equitable remedy?

MR. NESSEN: His view is that there are better remedies to illegal segregation than busing.

Q When those remedies that are regarded by the President as better have been exhausted, does the President conceive of circumstances in which busing is the appropriate, equitable remedy?

MR. NESSEN: I don't know how you can answer that question, Larry. We are dealing here not with some abstract but with a series of legal cases and I just can't, you know, give you some kind of off-the-wall theory on this question.

Q Is the President aware that judges, in reaching busing as the appropriate, equitable remedy, have considered alternatives, including those incorporated in the Esch amendment, and found them insufficient?

MR. NESSEN: I think that was Jim's question, and I just don't have an answer for you on that.

Q Does the President continue to rule out a constitutional amendment on busing, continue to oppose it?

MR. NESSEN: I don't think he ever opposed it, Mort. I think what he said is that legislative and judicial remedies seem more appropriate and seem to be remedies that can apply sooner, and so forth.

Q Ron, is the President aware of the fact that the Chief of the Justice Department Civil Rights Division believes it would be a mistake for Levi to intervene in Boston?

MR. NESSEN: I am not sure that that is an accurate statement of Stan Pottinger's views, and I suggest you go back and make sure that UPI-A-242 accurately reflects Stan's views.

Q You are not expecting to come out this afternoon with anything on the results?

MR. NESSEN: Right now, I don't.

Q Ron, I don't think you answered my question along that same line, which was whether you were prepared to recommend that Levi be available to us, or someone, after the meeting?

MR. NESSEN: I don't know what he is coming to report, Jim, and I can't very well recommend that he come and talk to you when I don't know what he has to talk about.

Q Ron, does the President intend to review Deputy Defense Secretary Clements' decision to rewrite the contracts for Tenneco shipbuilding contracts which have been in dispute?

MR. NESSEN: That Navy contract is something that has been in the process of being worked on, or something, for a long time, and I don't know that the President has a role in it.

Q Well, inasmuch as he is always expressing his interest in saving the taxpayers money and inasmuch as Secretary Clements' decision would amount to a \$74 million profit for these companies above and beyond what they are alleged to be due, don't you think the President would take an interest in saving the taxpayers money and review Secretary Clements' decision?

MR. NESSEN: Let me find out where that stands and whether the President has a role in it. I don't know.

Q Since tomorrow is Saturday, could you be more precise on the check-in at Andrews? I looked back at my notes and all I have you saying earlier on that is that the press would leave at about 8:00 a.m., but that doesn't give a check-in time.

MR. NESSEN: You never let me get through my opening announcements. We tried to push this political busing story so hard, I decided to bring in my announcement and hypo it.

On the cost of living index --

Q I would still like to get to Andrews.

MR. NESSEN: I am getting to Andrews. We are all going to get to Andrews.

As you know, the cost of living went up in April about four-tenths of one percent, which is slightly higher than the low rates of the previous couple of months.

The CPI is still running below what the President's economists have forecast. The President was especially pleased to see the decline in the inflation rate for the services portion of the Consumer Price Index. The President wanted to take this opportunity to say again that the battle against inflation is not won and that the country shouldn't let its guard down, and Congress should not take this as a signal that they can go ahead and start passing big spending bills which would merely reignite inflation.

Q Ron, you keep saying how all these figures are running ahead of expectations. When are we going to get a revision of the economic assumptions?

MR. NESSEN: What is the deadline when that has to be done -- July 15 they have to be revised. They will make a decision when they get closer to that time.

Where is the check-in time?

That is 6:45 at Andrews with luggage, and a 7:30 departure.

There is a summary schedule of the first two days, or the first day and a half, and it shows a check-in at 6:45 at Andrews with or without your luggage, and a 7:30 departure time for the press plane tomorrow.

The President will leave the South Lawn at 8:05 and will leave Andrews at 8:25.

The first stop is Medford, Oregon --

Q Will you be giving copies of that away?

MR. NESSEN: You can pick up the summary schedule from there. There are some press notes and so forth on it.

Q One further question: On the Council of Foreign Affairs, whatever that group is called, the foreign policy speech, what do you think in terms of now, on the plane, tonight, or what?

MR. NESSEN: Here is the deal: On the bibles, we hope to get them for you late this afternoon, at least the first day or so of the bibles. If not, we will have them on the plane. But, you will have the summary schedule so you can write overnights from that. No definite word yet on the Foreign Affairs Council speech, but I think the outlook is hopeful. We might put out a version of the speech that is longer than the delivered version and then he would stand by the printed version, but might cut short the delivered version in order to take questions.

Q When?

MR. NESSEN: Hopefully, we will have that by 6 o'clock. That is all we can do right now.

Q For release when?

MR. NESSEN: Six o'clock tonight, for release at 6:00 p.m. Saturday, Eastern Time.

Q That would be the only text you would have?

MR. NESSEN: For tomorrow, right.

Q For those who are thinking of writing the speech, whatever it is, on the plane, what is our arrival time in Medford in terms of Washington time?

MR. NESSEN: In terms of Washington time -- 10:15 a.m. their time is 1:15 p.m. Washington time. It is close for Sunday papers, and that is why I would like to get it out tonight if we possibly can.

Q Do you see a stop on the way back from California?

MR. NESSEN: There is a possibility, yes, but I am not going to be able to tell you today whether it is definite or not because it is not definite.

Q Do you foresee campaigning over the Memorial Day weekend, the holiday?

MR. NESSEN: I haven't gotten anything that far ahead yet, Helen.

Let me tell you about the weather on the trip. Portland, Medford and Pendleton -- what they are looking for is cloudy and pleasant, a chance of showers on Saturday; the low temperatures, 43 to 50; high temperatures, 63 to 73; and wind, 5 to 15.

The Los Angeles, San Diego, Southern California area, sunny during the day, foggy at night; the low temperature about 55; the high temperature about 70.

The Las Vegas temperature -- it is sunny and warm there. We will be there in the middle of the day so it will be about 80.

The San Francisco area, cloudy and mild; low temperature at night about 45 to 50, and during the day about 65.

Q Ron, the Washington Star published an article about the evening of the Michigan primary at the PFC headquarters in which, until the first projections, it was almost a kind of skeletal force, and then as soon as the first projection came through they said an enormous crowd suddenly materialized, including several White House people who had heretofore not been seen on the nights of those losing primaries.

I was wondering, what is your reaction to that, or the White House reaction to that? I don't expect you would be over there because you are over here.

MR. NESSEN: I wasn't. I was in a tent in the back yard of the French Embassy.

Q I would agree with that. Suddenly a crowd came out of nowhere and I just wondered what is the White House reaction?

MR. NESSEN: I don't have any comment, Les. I don't know what the scene was over there.

Q Ron, did the President tell the interviewers with whom he met this morning that he had decided it would be appropriate to meet with South Africa's head of Government?

MR. NESSEN: No, I don't know how that story keeps rolling along day after day, but it all started with a question that he got during an interview on the train, and I think he was just making the point that if at some point it seemed appropriate or helpful or could help with the situation there, that he would then consider meeting with the South African Prime Minister. But, you know, it hasn't advanced beyond that. He keeps getting these questions.

Q He has been much more definite yesterday and today, much more definite.

MR. NESSEN: The words may have changed but certainly the situation has not changed.

Q He said he wouldn't meet with the Rhodesians but he keeps saying more and more firmly there is consideration of meeting with the South Africans.

MR. NESSEN: As I say, whatever the words may be, there are no plans to meet with the Prime Minister of South Africa.

Q Did he not say today that he would meet the Prime Minister?

MR. NESSEN: I don't have the text but, as I say again, Ralph, whatever variation of wording he used, there are no plans to meet the South Africans.

Q Ron, we have to write our stories on the basis of what the President said. You are now reinterpreting?

MR. NESSEN: Look at his words in the context, Ralph, and look at the question and so forth.

Q I have done that.

MR. NESSEN: You have to write what you have to write, but I am just saying there are no plans for the President to meet the Prime Minister of South Africa.

0 Did the President have any comment on the B-1 bomber delay of funds?

MR. NESSEN: On the B-1 bomber, the President really believes the Senate made a mistake, that that was the wrong decision. The House, of course, defeated an amendment similar to the one the Senate passed, so now the President is hopeful when the matter gets to the Conference Committee, that the conferees will resolve it in favor of the House version.

Also, I understand about 20 percent of the Senate was absent and it seems like an important decision to be decided with that many people absent.

Generally speaking, bombers are an important part of the American defense force. They make up more than half of the nuclear capability of the United States. The bomber we now have, which is the B-52, is aging. It is 20 or 25 years old. It will have to be replaced, and the President doesn't think the American people would want a decision in this crucial area to be made the way it has been.

The B-1 testing is continuing in a satisfactory way, about 90 percent of the tests have been completed. In fact, the B-1 has had more tests than any other military plane in history. As I say, they are now about 90 percent complete. Three Presidents, seven Defense Secretaries and every Congress since 1970 has considered the B-1 project, moved it along, and the tests are going ahead.

As you know, the decision on whether to go ahead with production will be made on November 1 on the basis of the rest of the testing. The money that is involved in the Senate amendment is for long lead time items, items that need to be ordered so they will be ready to put on the plane if and when the decision is made to go ahead with production.

Of course, that money wouldn't be spent until the decision is made to go ahead with production.

0 Hasn't the President said almost flat out that he was in favor of the project going ahead?

0 Yes, he promised to deliver it in Texas. He delivers everything he promises.

MR. NESSEN: The final decision on whether to go ahead with production will be made on November 1. 90 percent of the testing has been done, and it is satisfactory. You know, I don't want to change the words he has used.



Q He will definitely make the decision before the election?

MR. NESSEN: The target date is November 1.

Q I am asking this question because you have cited a list of arguments in favor of the B-1. Otherwise I wouldn't ask it. Has the President followed the debate in the Senate, which is centered around Senator Proxmire and Senator Goldwater?

MR. NESSEN: Oh, yes.

Q What is his answer to a point made by Senator Proxmire which is that in the time it would take the B-1 to fly to Russia there could be four missile exchanges and the airplane would arrive five hours after the war had ended? What is his response to that?

MR. NESSEN: I had a long talk with your friend and mine, Mr. Greener, this morning and Mr. Greener has made himself an expert on the continued need for manned bombers, and he has, I think, answers that will satisfy the question, Jim.

Q Could you tell us what they are?

MR. NESSEN: I was actually in a hurry this morning (Laughter) and didn't write them down.

Q Do you have his phone number, Ron?

Q Would you take Greener at his word?

MR. NESSEN: I certainly would on this subject. He was in with the Secretary. The number is 697-9312.

Q Ron, the President said Levi will have the final word on the test case. Why is that? If the President disagreed with him, if Levi comes in and says these are my considerations, I reached this decision, and the President felt differently, why wouldn't the President exert his authority to overrule?

MR. NESSEN: As we said to the same question earlier in the week, John, it is a legal question, and it is something for a man who devotes his full time to the matter of courts and the law to weigh and decide on its legal merits.

Q Is it solely a legal question, Ron? Isn't there a social question involved as well?

MR. NESSEN: We are talking here about a legal remedy to a situation if a court finds that there is illegal segregation in a school system, what is the legal remedy to correct that. That is what we are dealing with. We are not dealing with the question of should the illegal segregation be allowed to continue. That is decided. The question is how do you remedy it?

Q The issue of whether it is appropriate or not to intervene in this particular case is not solely a legal question, is it?

MR. NESSEN: I feel sure that the Attorney General is taking into consideration a lot of factors.

Q The President is not opposed to forced busing solely on legal grounds, is he? He has said that this leads to emotional disruption, and so forth and so on. If he is not opposed to busing on legal grounds, then his desire for intervention is not solely on legal grounds, is that right?

MR. NESSEN: He feels there is a better way to remedy the illegal segregation of schools than by busing.

Q Does the President believe that most Americans are opposed to busing?

MR. NESSEN: I don't know that he has made any check of that, John.

Q Ron, two questions. What is the mood of discussion between the President and the Attorney General on the President's request? Is there a mood of agreement or disagreement or what?

MR. NESSEN: I don't have any idea.

Q The other question is, to your knowledge do you rule out the possibility that the Attorney General might resign today?

MR. NESSEN: That is a real stunner, Cliff. Is that based on anything?

Q Yes, it is based on the fact that sometimes one doesn't ask a question and something happens.

Q What is the question?

MR. NESSEN: The question was, do I have anything to lead me to believe that Attorney General Levi will resign today. It reminds me of an old Lyndon Johnson story.

THE PRESS: Thank you, Ron.

END (AT 12:24 P.M. FDT)

#497

Q & A SESSION AT THE JACKSON COUNTY-MEDFORD COUNTY
AIRPORT, May 22, 1976

QUESTION: Mr. President, are you moving to the right on the racial issue with these business remarks, and the nuclear reactions in South Africa?

THE PRESIDENT: Not at all. I have strongly opposed court ordered forced busing to achieve racial balance. I have consistently all my life lived and believed and voted for the end of segregation. But I think the real answer that we are trying to get is quality education, and court ordered forced busing is not the best way to achieve quality education.

Therefore, what may transpire by the Attorney General -- and he has not yet made his final decision -- is an attempt to get a better remedy for quality education than the remedy that has been applied in several States.

In the case of South Africa, we are trying to end the radicalism which has developed in South Africa since the Soviet Union and Cuba took over Angola. The way to do that is to convince the independent States in South Africa that there should be no outside power controlling that part of that continent.

Q & A Session, PENDLETON MUNICIPAL AIRPORT, May 23, 1976

QUESTION: Ronald Reagan says the attitude of the Attorney General apparently signifies some sort of change in attitude of the Administration toward busing. What is the attitude now of your Administration toward busing?

THE PRESIDENT: There is no change in my attitude. I have been totally opposed to court-ordered forced busing to achieve racial balance, because that is not the right way to get quality education. The Attorney General is investigating the possibility of filing an amicus curiae proceeding, as far as the Supreme Court is concerned. He will make the decision, if the facts justify it, and he will report to me when he has made that decision.

But the basic attitude of the Ford Administration is the same as it has been in the Congress and in the White House. Quality education is not achieved by court-ordered forced busing.



Q & A SESSION AT EL TORO MARINE CORPS AIR STATION,
May 23, 1976

QUESTION: Mr. President, what do you propose as an alternative to forced busing?

THE PRESIDENT: The alternatives are well set forth in what we call the Esch amendment, the Esch amendment which was approved when I was a Member of the House of Representatives, and I signed it as a law in late 1974. It provides a list of alternative steps which, if the courts of this country would follow, they wouldn't get down to the last one, which is forced busing to achieve racial balance.

The courts, in my judgment, have to look at the guidelines prescribed by the Congress. The Congress is interested in quality education, as I am, and they -- the Congress -- are also against segregation, but we can find a way for quality education if we follow the Esch amendment, and I hope and trust that the courts will in the future.

Q & A SESSION AT SAN DIEGO AIRPORT, LINDBERGH FIELD,
May 24, 1976

QUESTION: Mr. President, when you talk about quality education, are you speaking about desegregated education?

THE PRESIDENT: I am talking first that quality education is our prime responsibility. But, at the same time, we have to maintain the constitutional rights of individuals that we should not have segregation. I think we can have both. If we do the right thing, both with the courts on the one hand and the Congress and the President on the other, we can achieve quality education without undermining the constitutional right of individuals to have desegregation.

REMARKS OF THE PRESIDENT AT THE LOS ANGELES PRESS
CLUB BREAKFAST, Hyatt House International, May 25, 1976

THE PRESIDENT: We can have one more after this if somebody is ready, willing and able.

QUESTION: Mr. President, I wanted to know whether you believe that there are some situations in which busing could help toward the implementation of the 1954 Supreme Court school desegregation ruling?

THE PRESIDENT: Basically, I have opposed the kind of busing remedy that the courts have utilized for the achievement of quality education. I think the courts have gone much too far in most cases in trying to achieve quality education by the imposition of court-ordered forced busing to achieve racial balance.

I am strongly opposed to segregation. I fully oppose the constitutional rights of those who have been discriminated against in the past. But the Court really has a tool in court-ordered forced busing.

I can cite one case that I am personally familiar with where they handled that remedy in a responsible way -- my own hometown of Grand Rapids, Michigan. A judge used good judgment and the problem was solved. We took care of segregation in a proper way constitutionally and, at the same time, we were able to put the emphasis on quality education.

But I can't cite some other judges -- and I won't do that because the Attorney General admonishes me not to do so -- where I think they have gone far too far, and the net result is we have torn up a number of communities and it is tragic and sad.

I hope that the Supreme Court in the proper case can give some better guidelines, more specific guidelines to some of these lower Federal courts so that they can use a better judgment in trying to achieve, first, quality education and, secondly, the ending of segregation, and the protection of constitutional rights.

THE WHITE HOUSE
WASHINGTON

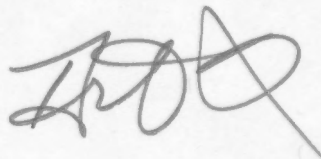
May 26, 1976

MEMORANDUM FOR JIM CANNON

FROM: ART QUERN

SUBJECT: President's Busing Statements

Enclosed is a catalogue of the President's statements on busing since the time he entered office.



Attachment

of the
PRESIDENT OF THE UNITED STATES

7:01 P.M. EDT
May 26, 1976
Wednesday

In the Presidential Ballroom
East
At the Neil House Hotel
Columbus, Ohio

Page 14

QUESTION: Mr. President, you have reiterated tonight that you are against court ordered busing to achieve school desegregation, a remedy that is the law of the land. You have also said that you told your Attorney General to get the Supreme Court to reconsider its busing decisions.

Just this week you also indicated that you would get your Administration to try and reverse a court order protecting porpoises against being killed by tuna fishing.

My question is this, sir. If the President of the United States does not accept court decisions, doesn't that encourage the people of the United States to defy court decisions and isn't there a danger the law of the land will be eroded?

THE PRESIDENT: Not at all because whether I agree with decisions or not, this Administration, through the Attorney General, has insisted that the court decisions, whether they are in Boston or Detroit or anyplace else be upheld. I have repeatedly said that the Administration will uphold the law.

Now, in the case of court ordered forced busing, which I fundamentally disagree with as the proper way to get quality education, the Attorney General is looking himself to see whether there is a proper record in a case that would justify the Department of Justice entering as amicus curiae a proceeding before the Supreme Court to see if the court would review its decision in the Brown case and the several that followed thereafter.

I think that is a very proper responsibility for the Department of Justice and the Attorney General to take. They need clarification because all of those busing cases are not identical and if the Department of Justice thinks that they can't administer the law properly under the decisions because of the uncertainties. I think the Department of Justice has an obligation to go to the court and ask for clarification and that is precisely what the Attorney General may do.

MORE

The reference to the Brown case was incorrect.

The President has consistently and firmly stated that he supports the Brown decision. What he was referring to in the Q&A was some of the more recent court cases since Brown that have ordered forced busing to achieve desegregation goals.

The President said repeatedly last night he is opposed to segregation and intends to uphold Constitutional rights.



5/26/76

Press Conf #33

QUESTION: Mr. President, Mr. Udall has accused you of playing politics with busing. Some Ohio civil rights leaders have indicated agreement. What is your answer to this criticism and also what is your advice to residents of Ohio cities facing court-ordered desegregation next fall?

THE PRESIDENT: First, let me say that I have vigorously opposed court-ordered forced busing to achieve racial balance as the way to accomplish quality education. I have opposed it from 1954 to the present time.

We all know the tragedy that has occurred in many communities where the court has ordered forced busing on a massive basis. I think that is the wrong way to achieve quality education.

Last November, well, before the Presidential primaries got going, I met with the Secretary of HEW and with the Attorney General and asked them to come up with some better alternatives to the achievement of quality education and court-ordered forced busing. The two Secretaries in my Cabinet have been working on alternative proposals.

The Attorney General is in the process of deciding whether or not, where and when he should appear on behalf of the Federal Government to see if the Court, the Supreme Court, won't review its previous decisions in this record. And secondly, the Secretary of HEW is submitting to me in a week or so the alternatives that he would propose to achieve quality education without losing the constitutional right of individuals so that we can do away with segregation and, at the same time, achieve quality education.

Now, the various communities in the State of Ohio that are in various stages of action by various parties, as far as busing is concerned, certainly ought to abide by the law. But, we hope that at least possibly the Supreme Court will review its previous decisions and possibly modify or change. We can't tell.

But, in the meantime, local communities, of course, have to obey the law and my obligation is to make certain that they do. But we must come back to the fundamental objective -- one, quality education, I believe there is a better remedy than court-ordered forced busing.

QUESTION: Mr. President, there are many civil rights groups who believe that the word "quality education" is a code word; that is, it is not in conformity with the Supreme Court's 1954 decision that we should have desegregated schools and that separate but equal are not equal. What is your definition of "quality education"?

MORE



THE PRESIDENT: I respectfully disagree with some of the civil rights leaders. I think the best way to outline how we can achieve better or quality education and still insist upon desegregation is set forth in legislation under the title of Equal Educational Opportunities Act, which was passed in 1974.

If the court will follow those guidelines that were included in that legislation, we can protect the constitutional rights of individuals, we can eliminate segregation and, at the same time, we can give to individuals, the students, a better educational opportunity and accomplish quality education.

QUESTION: Mr. President, do you feel the Wayne Hays incident and the prospects of a House investigation of Mr. Hays' conducts will fuel what seems to be an anti-Washington establishment tenor to the Carter and Reagan campaigns? If so, how will it affect you and as a long-time member of that establishment, how will you cope with it?

THE PRESIDENT: I don't believe it is appropriate for me to comment on housekeeping problem involving the House of Representatives. I am sure the House will take whatever appropriate action should be taken. I can't see how, under any circumstances, it would affect me because at the time I was nominated for the Vice President 400 FBI agents investigated my life from birth up that point and 89 of them spent about a month in my home town, so I think on the basis of their investigation and the fact that a Democratic Congress, House and Senate, overwhelmingly approved the record that was made in the Senate Committee on Procedures and the House Committee on the Judiciary, where they cleared me of any problems whatsoever. I don't see how this incident would have any ramification or application as far as I am concerned.

QUESTION: You don't think it would contribute to that whole anti-Washington mood that Carter and Reagan seem to be exploiting?

THE PRESIDENT: I can't pass judgment on the anti-Washington feeling, but certainly it has no application as far as I am concerned.

QUESTION: Mr. President, following your victories in Oregon, Tennessee and Kentucky, you declared earlier today that you are the Republican with national potential and you had some reservations about Mr. Reagan. Could you elaborate on your reservations about Mr. Reagan as a Republican candidate?

MORE

PRESS CONFERENCE IN THE PRESIDENTIAL BALLROOM
EAST AT THE NEIL HOUSE HOTEL, Columbus, Ohio,
May 26, 1976

QUESTION: Mr. President, Mr. Udall has' accused you of playing politics with busing. Some Ohio civil rights leaders have indicated agreement. What is your answer to this criticism and also what is your advice to residents of Ohio cities facing court-ordered desegregation next fall?

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QUESTION: Mr. President, I was wondering if you could give us some hints about these alternatives that you are considering to forced busing. I just wondered what, beyond the Esch amendment, and what is spelled out in the law, and what the courts have already examined, what possibly could be an alternative that would hold up in the courts? What are the sorts of things that you are looking at?

THE PRESIDENT: When the proper time comes, Mr. Schieffer, we will reveal what Secretary Mathews has revealed to me and the options I have selected. I think there are some possibilities, but I think it is premature until I have made the final decision to indicate what he has thought might be an improvement over the way we have been handling the situation in the past.

QUESTION: Is it fair to say, though, Mr. President, that this is going to require some major legislative work, some major changes in the law?

THE PRESIDENT: Not necessarily, not major legislative changes. It can have some legislative impact, but it is also what we can do administratively.

QUESTION: Why not just go for a constitutional amendment against forced busing?

THE PRESIDENT: I think that is too inflexible and the facts of life are that that constitutional amendment has not gotten, or it can't possibly get a two-thirds vote in either the House or the Senate, and it certainly can't be approved by 75 percent of the States.

So, anybody who talks about a constitutional amendment is not being fair and square with the American people because no Congress that I have seen -- and this one is a very liberal one -- has done anything to get it to the floor of the House or even to the floor of the Senate.

So, when you talk about a constitutional amendment, you are kidding the American people and anybody who has been in Congress knows that.

QUESTION: At least that is saying what you are for. What I am wondering is, why you can't give us a few hints about what the alternatives are that you think will solve the problems?

THE PRESIDENT: At the proper time, Mr. Schieffer, Secretary Mathews will have the option paper before me, and I will be glad to review it and make it public at that time.

QUESTION: Mr. President, since Governors Reagan, Carter and Wallace have all conducted, to some degree, an anti-Washington campaign, should you be the nominee and Governor Carter be the Democratic nominee, how do you propose to attract the votes of the Reagan supporters, particularly the Wallace crossovers to Reagan?

THE PRESIDENT: I want to appeal to as many Democrats as I possibly can and that is what I did in Michigan in the recent primary. My opponent very obviously wanted the Wallace element and only the Wallace element. I appealed in Michigan to all Democrats and all independents who wanted to cross over and vote for me if they believed in my record and believed in what I was trying to do, and we got a tremendous number of Democrats in Michigan to cross over and I am very proud of it.

Now, after we get the nomination in Kansas City, we will naturally want to get as many Democrats as we can because the Republican Party, according to statistics, has only about 19 percent of the public and the Democratic Party has 35 to 40 percent, as I recall. The rest of the people are independents.

So, a Republican candidate for the Presidency has to have a lot of support from independents and a significant support from Democrats. And the experience in Michigan, where I got a broad spectrum of independents as well as Democrats certainly is conclusive that I have a very good appeal to independent voters as well as broad-minded and I think very wise Democrats.

QUESTION: Mr. President, I think any number of people are a little confused about the status of the so-called alternatives to court-ordered busing. Just last week, you told a group of Kentucky editors just before the Kentucky primary that you had three alternatives that you were studying and that you would be making a judgment on them within a few weeks.

At that same meeting, you said the Justice Department may choose Louisville when, in fact, the Justice Department was not at that time considering Louisville. Do you now have those alternatives before you or, as you have indicated tonight, will they come from David Mathews? Finally, as a result of all this confusion, don't you see how the impression is left strongly that you may be doing this for political reasons?

THE PRESIDENT: I think you have confused it by not relating the whole sequence of events. I have repeatedly said that last November I called in the Attorney General and the Secretary of HEW and said I wanted a better answer so we could achieve quality education and not tear up society in a City such as Boston.

A month or two later they came back with a number of options. I said they ought to winnow them down. This was well before any Presidential primaries were on the agenda.

We have been seriously and constructively working together and the Attorney General, in due time, as he finds the right case, will go to the Supreme Court if he thinks the record justifies it. And Secretary Mathews will come to me with a more limited number of options at the proper time, and I expect some time within the next several weeks I will get those recommendations.

QUESTION: But did you not tell the Kentucky editors, as I recall it quite vividly, that you had three alternatives already that you were studying and that you would make a judgment on those shortly?

THE PRESIDENT: I had three and I asked Secretary Mathews to review them and to make sure that they might be alternatives that would really be helpful. And he has gone back to review those three alternatives and I expect shortly he will come up with a more complete recommendation.

QUESTION: Just to follow up my original question, sir, you said in reply to a question on busing on the West Coast, and I think I am quoting you correctly, that "maybe we need some new judges."

Mr. President, are you suggesting if elected, you might try to pack the Federal courts with judges favorable to your position on busing?

THE PRESIDENT: Let me say that the one opportunity I have had to appoint a judge to the United States Supreme Court, he was almost unanimously approved because of his high quality. He wasn't selected because he had any prejudgments or conclusions concerning anything. He was a man of great intellect, great experience and good judgment. And I would expect in the next four years to appoint people of the same quality and caliber and I would expect the United States Senate to overwhelmingly approve them as they did Justice Stevens.

Betty Ford Opposes School Busing

First Lady Betty Ford, campaigning in New Jersey, said Thursday she personally is opposed to school busing.

"I think the money being spent for new buses, gasoline... and court fights could be put in the school systems for better schools and better teachers," she said.

Mrs. Ford made it clear that this was her personal view, although it coincides with her husband's. UPI -- (5/27/76)

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.

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MAY 29, 1976

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