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NEWS CONFERENCE

#502

AT THE WHITE HOUSE

WITH RON NESSEN

AT 11:30 A.M. EDT

JUNE 2, 1976

WEDNESDAY

MR. NESSEN: You saw the arrival ceremony for the King and Queen, and you know about the dinner this evening. Bill Roberts is handling the coverage arrangements for that.

I want to tell you about a meeting the President is going to be having tomorrow afternoon at 2:30. It is a meeting with a number of Governors and Mayors to discuss the continuing problem of the President's commitment to having the general revenue sharing legislation extended and failure of Congress so far to do that.

This meeting grows out of a telegram the President received on the 21st of May from a group known as the New Coalition. The telegram said that, "Since revenue sharing is so important to the organizations and people represented by the members of the New Coalition, the leaders of the New Coalition believe it would be extremely helpful if you would call a meeting of the Democratic and Republican leaders of the House and a member of each coalition organization in order to discuss our major concerns over the revenue sharing bill scheduled to come before the full House in the near future. If you, too, see there will be a value in such a meeting and would be willing to call us together with the leadership, we would be most appreciative." The Chairman of the New Coalition is Governor Ray of Iowa. He is also the Chairman, as you know, of the National Governors Conference.

The other members of the New Coalition who sent this telegram in are Mayor Hans Tansler of Jacksonville; the President of the National Association of Counties, Vance Webb --

Q Do you know where Webb is from?

MR. NESSEN: I have to get that for you.

-- Mayor Moon Landrieu of New Orleans, who is the President of the U.S. Conference of Mayors; and State Congressman Tom Jensen of the Tennessee House of Representatives, who is the President of the National Conference of State Legislatures.

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So they are the ones who asked for the meeting and the meeting will be tomorrow. The participants, of course, will be a number of members of the New Coalition.

Q In addition to those you read off, you mean?

MR. NESSEN: Yes. I think the easiest way would be to publish a printed list of attendees because it is fairly extensive.

Q Are you going to have Members of Congress here, too?

MR. NESSEN: Yes, there will be the Speaker, Congressman O'Neill, Congressman McFall and a number of the Committee Chairmen involved and so forth.

Q Will there be a briefing after this meeting?

MR. NESSEN: The exact press coverage has not been set yet, but it could well be that the major portion of the meeting would be open for some kind of pool coverage.

Q Would you have that list available today, by any chance?

MR. NESSEN: I have it now. We will get it typed up and run off.

Q The East Room?

MR. NESSEN: I think the State Dining Room.

Q You mentioned, I think, the Democratic Congressmen. Are there any Republican Congressmen coming, too?

MR. NESSEN: Coming to the meeting tomorrow?

O Yes.

MR. NESSEN: I know John Rhodes is going to be there, Bob Michel will be there, Frank Horton and Jack Wydler.

Q They agree with the President. Isn't he having Jack Brooks

MR. NESSEN: Mr. Brooks is not among the attendees, no.

Q What about people from the Senate?

MR. NESSEN: No, not at this stage because the bill now is in the House.

That, I think, is all I have to announce.

Q Did Mr. Brooks decline or was he not invited?

MR. NESSEN: I have to check and find out how the list of attendees was put together.

Q Is this New Coalition set up solely to promote revenue sharing legislation or does it have broader purposes?

MR. NESSEN: I think it has broader purposes. I am not completely familiar with the New Coalition.

Q Ron, why is Secretary Usery going to be at the meeting with Levi and Mathews this afternoon?

MR. NESSEN: I think he has an interest in those problems, as does Secretary Coleman, who has been involved in the consideration.

Q Will Coleman be there?

MR. NESSEN: Coleman is out of town or he would be there.

Q Is it personal interest or is it departmental interest?

MR. NESSEN: A departmental interest.

Q What is this, Ron? Tell us, please.

Q What does the Labor Department have to do with busing?

MR. NESSEN: The Labor Department, I think you know, is involved in a number of education programs, migrant workers and others.

Q No, I don't know this at all. It is not true.

MR. NESSEN: That takes care of that problem. We can move right along. (Laughter)

Q Actually, what is his interest?

MR. NESSEN: That is serious, Bob. The Labor Department is involved in a number of school programs, primarily involving migrant workers.

Q They are not, Ron. That is not true, I am sorry.

Q Is the President going to make a decision today on this?

MR. NESSEN: I doubt whether the President will make any decision today. I would say there really are two major items involved in discussion. I would say today's meeting you could describe as a discussion meeting. One is the legislation that the President has talked about to minimize busing and that is, as you know, being drafted by the Justice Department.

Q Hasn't a draft of that come over yet?

MR. NESSEN: A draft has come over and there are additional drafts, or a later draft, being prepared. So that is part of it that will be discussed.

The other part of it that will be discussed are the ideas that Secretary Mathews has. These are approaches which would help a community to avoid reaching the point where a court would order massive busing.

Q When do you expect that proposal to go to the Congress?

MR. NESSEN: I don't have a timetable, John. I think it somewhat depends on the outcome of the discussion today.

Q Does Mathews' alternative need legislation, too?

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

Q Are they going to slip off or are we going to be able to see them?

MR. NESSEN: I did not have any plans to bring them down here because it is primarily a discussion meeting, and I don't expect any decisions to be made today.

Q The President sort of announced this yesterday at a TV interview. Can't we get at somebody who might know something more about it and give them some questions?

MR. NESSEN: I don't think there is any more to say now, Dave, than what the President said in his statement on Saturday, which was he directed Mathews to accelerate his efforts to draft this legislation and then he spelled out yesterday in very general terms what the legislation would do.

Q Did you mean Mathews?

MR. NESSEN: I am sorry, Levi.

Q Officials who work here on these problems say the theory behind this legislation is the same theory they would have hoped to have gotten by a court ruling if Levi intervened in Boston. Does this mean they are not looking for a court case now because you are going to try to go the legislative route?

MR. NESSEN: No, I think you read the statement last Saturday, Dave, and you know he instructed the Attorney General to keep looking for a case and and to meanwhile accelerate the drafting of this legislation.

Q Does this not represent a shift in strategy because you now feel it will take too long to get an indication so you want to go the legislative route? Is that not correct?

MR. NESSEN: No, that is not correct.

Q The fact is, Ron, is the point they hope to explore in the busing case they are going to have in court are the very points they hope to accomplish now through legislative changes?

MR. NESSEN: I know what the goal of the legislative proposal is. The grounds that Levi is considering for a court challenge I don't know because that is a legal question. I am not enough of an expert on that to know.

Q As I understand it, you are trying to minimize busing, not eliminate it. You are trying to minimize it only for those situations where a school board or some other responsible authority has clearly violated the law. You are trying to keep courts from going beyond that, to expanding their busing orders to other cases or other situations where segregation has been perpetuated, such as by housing patterns with things that have nothing to do with actions taken by local official authorities. Is that what you are not trying to accomplish, one, in the court case and, two, in the Levi legislation?

MR. NESSEN: I think in a very general way you have stated the purpose of the legislation. It is to limit the remedy to use busing as a remedy in those cases to correct those cases of segregation brought about by official actions of a school board or governmental body and to prevent busing as a remedy to correct cases of racial imbalance in schools that is brought about by events other than official governmental actions.

So, I think you generally stated the goal of the legislation. As I told Bob, the question of seeking a court case in which to ask the Supreme Court to clarify the extent that busing should be used as a remedy is a legal question that Levi is dealing with and I don't know what the considerations are in his search for a case.

Q Ron, are you saying the President does not recognize there is such a thing as de facto segregation?

MR. NESSEN: I am not going to get into that, Jim. I am telling you what the goal of the legislation is.

Q Ron, how much would busing be limited under this theory in the cities where busing now exists or has been ordered?

MR. NESSEN: That is not possible for me to tell, Mort.

Q Didn't this roll back existing busing orders in what we would call de facto segregation? Is this the intent of the legislation, to roll back existing court ordered busing?

MR. NESSEN: The legislation is in the process of being drafted, Walt, and it is very difficult for me to talk about it when there has not been a legislative proposal agreed upon yet.

Q What about the President's goal? This is essentially what I am getting at. Is it the President's goal to roll back court ordered busing in cities where the busing was ordered because of housing patterns? Is this the goal or would this be in future cases?

MR. NESSEN: I will check that point for you.

Q Ron, it seems to me like yesterday in our discussions about the new economic talks--international and economic talks--it seems to me today that the White House sort of takes -- is this the White House policy or your policy about you think we should act here, that we get decisions and we don't get thinking as these decisions are brought forward? Don't you think it would be good for reporters and the understanding of the people if we could get some thoughts here as they go about making the decision?

MR. NESSEN: I don't know what has been withheld, Sarah.

Q You just made the statement a while ago you thought we should not have a briefing on what the President is thinking here and what may be the outcome because we have reached a decision. Yesterday you said we could not have any talks or get any information on the upcoming economic talks because they had not reached a decision on some things. Can't we know what the White House is thinking and wouldn't it be helpful to the people to know all sides that are being discussed?

MR. NESSEN: I think it is fairly common practice, Sarah, that the President has the benefit of the recommendations and views of his subordinates privately in order to foster dissent and debate up until the point where he makes the decision. Then, when he makes the decision it is announced and very often the various arguments that were weighed or announced at that time, but up until this time I think historically the President has had the benefit of conferring with his advisors in private so as not to stifle dissent or debate.

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Q I am not trying to take anything away from him in the business of advising with his own staff people. I am just thinking, the whole country is trying to, everybody is trying to, figure out a way to solve this problem. Why wouldn't it be great if we all thought about it together while we were going towards the decision?

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

Q Who has been brought in on the dialogue? Have any civil rights leaders been brought in, NAACP or anyone who has a --

MR. NESSEN: I don't have an exact schedule to give you at the moment, but before the legislative proposal goes to Congress and before any of Secretary Mathews' approaches are settled upon and announced, there will be an opportunity for the President to hear other views both in Congress and from the public.

Q Ron, is the President going to campaign in Dayton on Monday?

Q Speaking of busing, is there a bus ride across Ohio? (Laughter)

MR. NESSEN: I think the President will be doing a motorcade through Ohio on Monday, including Dayton.

Q Would you give us some more on the weekend trip?

MR. NESSEN: Not much more. I would look for a morning departure on Sunday.

Q Is that 12:01 a.m.?

MR. NESSEN: No, I think it will be a civilized hour. He is going to Paterson, New Jersey, first of all, to a Bicentennial event, the details of which I don't have at the moment. Sort of midafternoon is a reception for the President's campaign workers in Newark, going on to Cleveland in the late afternoon, speaking to the National Conference of Christian Jews in Cleveland at 7:00 Sunday, followed by a reception, and then flying on to Cincinnati to spend the night.

Q Are you announcing the President's appearance on Face the Nation?

MR. NESSEN: I think CBS has already announced it, haven't they? But, I will confirm it.

Q What are you confirming?

MR. NESSEN: Let's stop on Sunday night in Cincinnati and go back and say that the President plans to tape the Face the Nation program sometime Saturday for broadcast on Sunday.

Q Prior to our departure from here?

MR. NESSEN: We are not going to be traveling on Saturday, but a number of you have asked about transcripts and obviously we would make the effort to get the transcript done and in your hands in time for you to write for the embargo time.

Q Would you think that would be sometime on Saturday?

MR. NESSEN: I would think it should be Saturday afternoon, yes.

Q Do you have any idea when Saturday afternoon?

MR. NESSEN: It usually takes two hours to get a transcript out, so if it is taped midday, which is really the plan, say just to be on the safe side 3:00 to 4:00 --

Q Would it be for Sunday a.m.'s?

MR. NESSEN: It would not be for Sunday a.m. It would be for Sunday 11:30 or whatever time of broadcast.

Let me finish the Ohio schedule. Monday there will be a Republican breakfast in Hamilton County, which is Cincinnati, and then the cities that will be covered on the motorcade route are Middleton, Dayton, Springfield, Lima, Findlay, Bowling Green and the Toledo airport. at 8:30 and then departing from Toledo, getting back to Washington relatively early.

Q 8:30 arrival Toledo?

MR. NESSEN: That is the time of the event at the Toledo airport.

Q What is the distance covered?

MR. NESSEN: I don't have all the details yet. This was just pulled together at about 11:00.

Q Will there be a stop at every town?

MR. NESSEN: Yes.

Q You have just the two stops in New Jersey, Patterson and Newark, is that right?

Q Do you have what airport he is going to arrive at and the time?

MR. NESSEN: I don't have the exact schedule yet, Jim.

Q Will you have that tomorrow?

MR. NESSEN: I hope so.

Q When you say a stop in each town, will this be more or less the same approach that was used on the whistle stop, where he would go to some location and give a speech and pull on?

MR. NESSEN: I just don't have the details or the format yet.

Q What security preparations are being made for this? You are going across the entire State, which must be something in the order of 250 to 300 miles. Can you tell us anything about the security?

MR. NESSEN: I don't know anything about security. Call Jack Warner at Secret Service.

Q Ron, will you see to it, if you can, that some of the transcripts are available on the press plane?

MR. NESSEN: They will be on the plane.

Q About the question of security over the Fourth of July weekend that you said you would check into, on the Fourth of July --

MR. NESSEN: We have received Mayor Rizzo's letter and it has been sent over to the Domestic Council to study the request and to look into the question. It appears at first glance that the normal procedure is for the Governor of Pennsylvania to deal with any problems, and if he feels he is unable to handle any problems, then for the Governor to forward a request down here. That is what the first reading of the letter suggests, but it is being studied by the Domestic Council.

Q My main concern was what provisions of security for Washington?

MR. NESSEN: I don't know of anything special that is needed in Washington.

Q If the City Government of Philadelphia feels it is necessary for 15,000 troops, what does the Ford Administration feel will be necessary for Washington, if anything?

MR. NESSEN: I have not heard of anything special.

Q In other words, they will have some troops there, won't they?

MR. NESSEN: I have no idea. I have not heard of anything.

Q Ron, why does this go to the Domestic Council? Why doesn't it go to the Department of Defense? He asked for troops.

MR. NESSEN: The Domestic Council has an office which is especially designated to deal with the many requests that come from mayors and local officials, and this was a request from a mayor.

Q This is not just a routine request from a mayor about something in a city. This is a matter for the Department of Defense and National Guard.

MR. NESSEN: So, the first stop for it is the Domestic Council. If it needs to be staffed out to the Defense Department or any other department, it is the Domestic Council which does that staffing out process.

Q Ron, can you tell us what the President's view is today on the possibility of a convening of the Geneva Conference to settle the Middle East?

MR. NESSEN: No different than it has been in the past several months, Jim.

Q Is there an effort by the Administration to seek a convening of the conference?

MR. NESSEN: The position today is as it has been for the past several months, which is that we stand ready and in fact are in contact with the parties and will help them in any way they believe we can be useful to proceed toward peace, but it is their choice of how to proceed and not ours.

But, that is unchanged from what we have said for the past several months.

Q There was a report yesterday that the United States is trying to initiate some sort of new initiative in the Middle East. What can you tell us?

MR. NESSEN: I can only point out the other wire service story which accurately quoted me as denying that and restating that the situation remains unchanged.

Q Does the United States have any new initiative underway?

MR. NESSEN: There is no new initiative. There is simply the ongoing contacts we have with all the parties involved, and our willingness to help them arrange whatever they want to do.

Q And no effort is being made to arrange any conference?

MR. NESSEN: No new effort on the part of the United States. It is simply the ongoing readiness to help the parties.

Q Does that include contact with the PLO?

MR. NESSEN: It does not, as we have said before.

Q Ron, given the President's desire to hold down spending, I wonder if there is automatic opposition to Secretary Mathews' idea that there should be a Federal council to help cities' civic leaders to try to prevent confrontations over busing? That would cost some money.

MR. NESSEN: John, as I said, part of the meeting this afternoon is going to discuss Secretary Mathews' suggested approaches to help cities avoid being put in the position of having the courts order heavy busing, so until the President makes a decision on whether and what Mathews' suggestion to recommend, I don't see the purpose.

Q Ron, would you automatically rule out something that would cost money? You would not automatically rule that out because of budgetary considerations?

MR. NESSEN: The Mathews ideas will be discussed this afternoon, John.

Q Are these problems being discussed at this meeting this afternoon solely because of the department's educational programs for migrant workers?

MR. NESSEN: I will check for you.

Q Ron, why didn't you all notify the Governor of Puerto Rico that you plan to have this international conference down there? He had to read it in the paper.

MR. NESSEN: I think it was a slip-up.

Q Ron, sources close to the Puerto Rican Socialist Party are saying that there will undoubtedly be massive demonstrations by what they are calling a coalition of independent movements. That would mean the Puerto Rican Independence Party which picked up 52,000 votes in the last election and the Socialist Party itself, which has a Senator in the Puerto Rican Senate and is also a Communist organization. This is all according to their spokesman again. In light of this, what can you tell me about security precautions?

MR. NESSEN: I don't have anything to do with security precautions, but again you can call Jack Warner at Secret Service, who can probably help you with that.

Q Why do you say probably help us? You must know. You have called Jack. He is a very polite fellow, but he will give you absolutely naught.

MR. NESSEN: There must be reasons for his taking that attitude.

Q Ron, isn't the decision to hold this conference in a place like Puerto Rico an invitation to demonstration? Why not hold it in a place where there is minimum risk?

MR. NESSEN: I mentioned to Helen yesterday when she asked about that that that it was not possible to hold it in Washington because the hotels are all booked up.

Q This is a big country. It does not have to be in Washington.

Q How about Miami Beach?

MR. NESSEN: Obviously the conference would not be held in Puerto Rico if it were not felt that security was adequate.

Q Ron, Helen asked you a specific question before, and I wonder if you can make your answer specific. The question was about busing, whether the President plans to meet with civil rights leaders.

MR. NESSEN: I told you as much as I know about that matter at this moment, Cliff, which is that before the legislation goes to the Hill there will be an opportunity for both Members of Congress and outsiders to make their views on it known to the President. At the moment, that is all I can say.

Q I would like to ask you two questions about the legislation or about the goal of the legislation. You define the goal as limited to ruling out busing, limiting it to official action. If this legislation is only future legislation -- that is looking ahead -- would that nonetheless permit local groups to bring suit against a busing decision already in effect in an attempt to get it revoked?

MR. NESSEN: That obviously is a legal question, and I have to talk to one of the lawyers here about it.

Q Secondly, does the White House have any realistic expectations that legislation prohibiting busing as a solution to neighborhood segregation would have any chance of passage in Congress? Do you have any realistic expectations that Congress would pass that?

MR. NESSEN: I don't think the President would recommend it if he did not think it had a realistic expectation of passing.

Q What would you base that expectation on?

MR. NESSEN: I think we are getting ahead of the game here, Jim, since the legislation has not been agreed on or recommended yet.

Q Ron, this is not new. We have had legislation up there for a long time that has gotten nowhere. Why does he think this is going to succeed?

MR. NESSEN: I am going to have to ask John to take over at this point.

Q Ron, before you leave, I have a question about your terminology. You said there would be a chance for Members of Congress and outsiders to give their views. What do you mean by outsiders?

MR. NESSEN: I mean people such as those that Helen has in mind, people who have views on civil rights.

Q Do you mean specifically civil rights leaders?

MR. NESSEN: Yes.

Q The President has not so far met with civil rights leaders on this subject.

MR. NESSEN: He will have a chance to hear their views before he sends this legislation.

Q What I was wondering is, how much less does it cost to send Mrs. Ford to California than the President? I understand it is considerably less because she travels with less of an entourage so I wondered why the President has to have such a tremendous entourage.

MR. CARLSON: The question was asked yesterday.

Q He said it was less but I would like to know how much less.

MR. CARLSON: I think the PFC would be better able to answer that than we are, Les, but we have gone out, with the numerous stops and so forth, the advance teams that go out and so forth, the communications efforts, et cetera, it is certainly considerably more for the President.

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Q John, this is a question -- I don't know whether your department reviewed it or not -- I don't think you did but some of the Members of Congress are very interested in these materials that you put out to kill coyotes and prevent them killing livestock were very shocked yesterday afternoon when they discovered quite by chance from some of the cattlemen that the White House last Friday had amended its Executive Order to permit the use of this gun, a very popular thing among western livestock growing States. And this was put out by a sort of routine announcement here in legal language that no one would quite understand.

The Members of Congress who have been down here to see the President about it were not notified at all and have not been notified yet. This led some of the Democratic Members of Congress to say, doesn't the President's staff want him to be elected?

MR. CARLSON: Well, the issue you are talking about is a very sensitive issue. There are two sides to the issue. The President met with people on both sides in the past.

Q He did not notify either side he was changing it.

MR. CARLSON: It was staffed out at great length. What actually happened prior to the final amendment here I am not sure, Sarah.

Q He issued the amendment already?

MR. CARLSON: That's right, he did.

Q It is something that is very popular with some people and not with others but did he not tell either side among the proponents and opponents that have been down to see him about it that he was going to do this?

MR. CARLSON: Margaret just mentioned some key Members on the committee up there were notified in advance.

Q The ones who were down here to see him about it were not and they were in line with his action that he took. You would think he would notify those who agreed with him.

Q Was the President disappointed that the House yesterday voted not to extend the FEA for the full three years that he had sought?

MR. CARLSON: The House voted to extend the FEA for 18 months. I think we are going to work with the Senate and the Conference to try to get a longer extension. We proposed a 39 month extension.

Q John, in your meeting with the President this morning, were any of yesterday's primaries discussed?

MR. CARLSON: We discussed it this morning but not in a meeting with the President. We did not have a meeting this morning because of the King's arrival.

Q So you and Mr. Nessen did not meet with the President?

MR. CARLSON: No, we did not.

Q John, I have not seen the guest list for the dinner tonight but last week the question was raised in the Spanish-speaking communities among leaders here in Washington that the White House has been for some time leaving Spanish-speaking people off the guest list down here. Do you have any American Spanish-speaking people among the guests who are seeing the King?

MR. CARLSON: I have not seen the guest list myself, Sarah.

Q This is a policy down here that seems not to be given any attention. Is that right? Is this overlooking the Spanish-speaking people?

MR. CARLSON: As you know, Ferdinando DeBaca did depart here a few weeks ago and in talking with Mr. Bennett few weeks ago myself he said they do actively have under consideration a couple of people for the Special Assistant to the President for Hispanic Affairs.

Q And they have not done anything about it yet?

MR. CARLSON: They are hearing several people that have been recommended. They narrowed the search down. A person, I think, will be named probably in the near future.

Q Do you have anything to say from the Presidential standpoint on the primary results other than what went on here last night?

MR. CARLSON: I think Ron did comment here. We were out here about 12 o'clock last night. In Rhode Island, as you know, we got all 19 delegates which was better than we expected. In South Dakota, I think we ended up with either nine or ten of twenty which was slightly better than we expected. In Montana, no delegates were selected there and we expected kind of what happened there in the popularity contest.

Q Did anybody point out to you what a simple calculator could do with the popular votes, that Mr. Reagan badly beat the President in all three primaries. If you total all the popular votes yesterday, all the Republican votes cast-- you will find that Mr. Reagan kind of whomped the incumbent President.

MR. CARLSON: Well, I think, Walt, the name of the game right now is delegates, and that is what we are talking about, going to Kansas City.

Q We are talking about winning, John, and if the majority of Republicans that cast votes yesterday cast their votes against an incumbent President, that is not too happy a situation is it?

MR. CARLSON: Right now in Kansas City you count on delegates and that is the name of the game.

Q How does the President feel about California now? Does he think he is getting closer and closer, that he might beat Governor Reagan?

MR. CARLSON: Yesterday -- and we have now available the interview with the California Bureau Chiefs of yesterday -- he mentioned he felt he still was underdog. He was very well-received out there and still felt that we were an underdog, but as he mentioned, Mrs. Ford was going out for a few days and Jack Ford would be out there and he is still hopeful and optimistic but he was an underdog.

Q Why do you think Usery was invited to the meeting today?

MR. CARLSON: Well, I think Bill Usery has a great deal of experience, a wide range of experience, in mediating difficult decisions, difficult situations, and I think he was brought in for that purpose.

THE PRESS: Thank you, John.

END

(AT 12:00 NOON)

AT THE WHITE HOUSE

WITH RON NESSEN

AT 5:10 P.M. EDT

JUNE 2, 1976

WEDNESDAY

MR. NESSEN: The meeting lasted about an hour and forty minutes. As you see, it just broke up about six or seven minutes ago. Basically two matters were discussed.

Q How long did it last? When did it start?

MR. NESSEN: It was supposed to start at 3:15. It started about 3:20 actually, so it lasted about an hour and 35 or 40 minutes. Let's agree on an hour and a half.

First of all, the Attorney General outlined the legislation that he has been working on, and I think you are familiar with the general outline. You are familiar with the general outline of it because the President has described it a couple of times in the past couple of days. Then there was a discussion of that and various people offered their views and asked questions about it.

The second part of the meeting was HEW Secretary Mathews describing and explaining a number of approaches that he has recommended which would help a community avoid reaching the point where a court steps in and orders massive busing. Then there was a discussion of that.

Then there was a discussion of those approaches from Secretary Mathews and then there were a number of other people heard from, with comments and with some ideas of their own and with some questions of their own, and there were no decisions made at this meeting.

What will happen now is that the President will consider the opinions and views expressed today and he will be consulting as needed with the various participants, although there is no schedule of any formal meetings that I have to announce now.

After he is satisfied that he has the legislation he wants, he will propose it.

The participants were the Attorney General, Secretary Mathews, obviously, and Secretary Usery.

Now let me explain Secretary Usery's participation a little better than I did this morning. He was there primarily because the President values his advice on a broad range of subjects not just limited to Labor Department matters or the educational matters handled by the Labor Department. Representing the Housing Department was Under Secretary John Rhineland. Secretary Coleman, obviously, would have been there but he is out of town. From the White House staff: the head of the Domestic Council, of course, Jim Cannon; Phil Buchen, the President's Counsel --

Q Did I understand you Secretary Coleman would have been there but he was out of town, is that what you said?

MR. NESSEN: Yes.

Q Why would Coleman have been there?

MR. NESSEN: For the same reason Usery was there. Because the President values his advice on this subject and others that are not directly related to transportation. I said Buchen, and Cheney and Marsh and Hartmann, and then a number of other people -- Max Friedersdorf, Paul O'Neill, Jim Connor, Bob Goldwin, Bobbie Kilberg of the Counsel's Office, Cavanaugh, Parsons of the Domestic Council, Dave Gergen, Art Fish. I think that is the list.

Q Rhineland is Under Secretary of Housing?

MR. NESSEN: Yes.

Q Did you get an answer to the question I asked this morning about whether the legislation would have a retroactive effect in any way?

MR. NESSEN: That is one of the legal matters that is being discussed in the course of considering this legislation.

Q And you also said no decisions were made in this meeting?

MR. NESSEN: That's right.

Q What decisions are there to be made, drafting legislation?

MR. NESSEN: That's right.

Q And they are obviously going to submit it, so what decisions are there to be made?

MR. NESSEN: The President has to decide when the legislation is drafted to his satisfaction and then he has to choose which, if any, of Secretary Mathews' approaches he wants to go forward with and which, if any, of the other ideas that were broached in the meeting he wants to go forward with.

Q Ron, when the President asked the Attorney General to find a court case he said the decision would be Levi's as to which, if any. Is this initiative on legislation largely with the Attorney General, as opposed to the White House?

MR. NESSEN: The President has directed the Attorney General to draft such legislation. The drafting of it is at the moment, or has been in the hands of the Justice Department. The legislation is now here at the White House where it continues to undergo revision and so forth. The Counsel's Office, the Domestic Council and the Justice Department and the President are all involved in the process.

Q How close in time frame are we talking about?

MR. NESSEN: I can't give you a timetable other than to say the President's words the other day -- on Saturday I guess -- which were, I think, as soon as possible still apply but I can't give you a timetable.

Q Are we talking about perhaps a matter of a couple of weeks or perhaps a month?

MR. NESSEN: I can't give you the time frame because this is a piece of legislation which needs to be carefully drafted and the decisions on the other matters need to be made and I just don't have a feeling of when these decisions are going to be made other than that they will be made as soon as possible.

Q Is the objective to have some impact on pending court cases in the pending school year -- September?

MR. NESSEN: I think I have to check the answer to that question before I can give it to you. I don't know the answer to that question.

Q Ron, is it not true that the Justice Department in addition to the drafting of legislation also are providing a brief for a Presidential statement to Congress on this?

MR. NESSEN: That is correct. A draft statement to Congress to go along with the legislation.

Q Is not Gergen a speechwriter and was not his presence there because the President is close to coming up with a speech to accompany this legislation?

MR. NESSEN: That was not my understanding of his presence there. He was there as one of Dick Cheney's assistants representing the Cheney office.

Q I know you don't want to be pinned down on time but is it possible that the President would send this up within a week or two?

MR. NESSEN: I just can't give you a figure on whether it is days or how many days or how many weeks. I just don't have the timetable.

Q Was Friedersdorf asked to give his estimate of how late you could submit it with the chance of passing?

MR. NESSEN: No, he was not asked any question at this meeting.

Q At what point did the civil rights leaders and the Members of Congress get in on this discussion? You said they were going to be there.

MR. NESSEN: They have not received the views of them -- the mechanism for that has not been arranged yet.

Q I assume Levi is still looking for proper and appropriate test cases, is that correct?

MR. NESSEN: That is correct.

Q Did he report at this meeting this afternoon on the results of his search so far?

MR. NESSEN: No, this dealt purely with the legislation to limit busing and the legislation from Mathews and a couple of other ideas but not with the other part of this which is seeking an appropriate court case.

Q Ron, is the legislation intended to achieve essentially the same ends as the review of a court case?

MR. NESSEN: Well, I know that question was asked this morning, Phil, and I don't, frankly, feel competent to make that kind of judgment. Maybe the better way to do it would be to put you in touch with somebody in the Legal Counsel's Office.

Q Did any discussion come up as to whether this is constitutional? There seems to be a clear question that it may very well be unconstitutional, an approach like this.

MR. NESSEN: I don't recall anybody at this meeting saying that the concept of limiting busing would be unconstitutional. There was some discussion of -- there was no specific discussion of -- nobody got up and said you can't do this because it is not constitutional but Ed Levi did describe some of the extremely complex legal questions involved in the kinds of legislation the President has asked for.

Q Did he talk about the fact, Ron, that the Court of Appeals struck down some of the applications of the Esch Amendment in the Dayton case? The President talks about the Esch Amendment an awful lot.

MR. NESSEN: The Dayton case did not really come up. The Esch Amendment did not really come up.

Q Ron, is it fair to say all the participants in this afternoon's meeting share the President's enthusiasm or give their endorsement to this search for legislation that would limit busing?

MR. NESSEN: There was such a wide range of participation and some of them did not speak, Russ, and some of them spoke on different aspects of the subject. I don't want to try to speak for everybody there.

MORE

Q Did anyone in the meeting say we should not be doing this, we should let the courts make this judgment without trying to circumvent via legislation?

MR. NESSEN: No, they did not.

Q Did Pottinger or Bork attend?

MR. NESSEN: They did not.

Q Does the fact that you can't give us a time-frame indicate that the President is finding the legislation that Levi has proposed still basically unacceptable?

MR. NESSEN: No, that is not the reason why I say I can't give you a timetable. There are decisions to be made. There is a final draft of the Levi legislation to be done and approved by the President, and there are the Mathews' ideas to be reviewed and chosen and the other ideas to be thought about, so it is only that there are a number of decisions to be made, and I don't know what the timetable for making those decisions is.

Q I guess what I am trying to get at is if the Attorney General submits legislation presumably it has been put together fairly carefully. The fact that you can't give us any indication how soon this might go to the Hill made me wonder if there were not some basic problems that still have to be resolved and that we are not really that close. I am not trying to put words in your mouth.

MR. NESSEN: I would not leap to this conclusion, Dick. It is just a question of -- there are a number of questions and there are a number of decisions the President needs to make, and I don't have the timetable for making those decisions.

Q You don't expect it before the primaries, do you?

MR. NESSEN: I just don't have any idea on the timetable, Bob.

Q How can you not have any idea? I don't mean to press you on this, but they have spent an hour and a half discussing this thing. It seems almost impossible to me that you could come out of a meeting like this and not have any idea when they are going to do something. Maybe if it is two or three weeks off, I could see your saying that you don't envision it within the next week, but to leave it openended like this --

MR. NESSEN: The President could go home tonight and sit down with all the papers and come in tomorrow with his decisions. He also could spend a considerable time considering his decision, and he did not say at the meeting which course he was going to follow.

Q Given the political climate that we are operating in right now, it becomes somewhat more significant if he is going to make a decision within the next few days or the next few weeks or whether we are talking about two or three weeks.

MR. NESSEN: Whatever his decision and whatever his timetable, Dick, it is totally unrelated to whatever political factors you may have in mind.

Q Ron, the President did definitely express his desire to have legislation, he wants legislation?

MR. NESSEN: He made that clear, I think, on Saturday in the statement and he certainly has not changed his mind since Saturday.

Q Is the initiative his or Levi's on this legislation?

MR. NESSEN: It was the President directing the Attorney General.

Q Was there any discussion tonight of a June 7 televised address on this?

MR. NESSEN: No, there was not.

Q Was there any discussion in the meeting of attaching this legislation as an amendment to the education bill that comes up in the Senate in a couple of weeks?

MR. NESSEN: I did not hear any discussion like that.

Q Is the President's new proposal only for Executive action?

MR. NESSEN: There was discussion of, if the President decided to go forward with some of the Mathews ideas, how it would be carried out, but no decision was made.

Q Could they presumably require legislation?

MR. NESSEN: There was a discussion of how to carry them out, but I don't want to go any further than that.

Q Ron, to approach Bob's question on constitutionality for a minute, the President directed Levi to find the case and Levi, we are led to believe, did not feel the Boston case was proper because of various legal reasons, that it did not present a proper legal case.

Has he expressed any reservation about any legal approaches on this bill?

MR. NESSEN: Who, the Attorney General?

Q Yes.

MR. NESSEN: He is drafting it.

Q And he has no hesitations, expressed none about approaching it this way?

MR. NESSEN: Certainly not that I have heard.

Q When did the President direct the Attorney General to come up with legislation? Was it in November?

MR. NESSEN: I will check the date on that. I don't know the date. Maybe Cannon does.

Q Ron, when we talked this morning I asked you-- we talked about limiting busing--were you talking about limiting it to a situation where segregation is being perpetuated by an official body? You said yes and I said are you talking about prohibiting busing situations in places where segregation arose from other situations such as housing matters, and you agreed with that.

MR. NESSEN: Correct. Just to show you it is not only housing patterns, it would be things like zoning regulations, economic conditions and so forth.

Q Now, those people who are opposed to the idea or some of the people opposed to the ideas of the President's legislation on this, say that the courts already are only ordering busing in cases where an official body -- and every instance it has been a school board -- the court has found some action of the school board resulting in the deprivation of constitutional rights of some children.

So, my question is if that is what the courts are already doing, how could what you are proposing make any difference?

MR. NESSEN: Who is it that says this other?

Q The NAACP and the NAACP Legal Defense Department, which are two separate organizations.

MR. NESSEN: Having sat in on this meeting and other meetings, it is a very complicated legal and constitutional question, and I just don't feel qualified to pass judgment on a whole series of court cases which have dealt in this area.

Q Ron, is it possible for you to give us a definition of what constitutes an official governmental act that creates segregation?

MR. NESSEN: I am going to pass on that one, Phil, on the grounds it is a complex legal question.

Q Does the President feel some sense of urgency about busing?

MR. NESSEN: What do you mean by that?

Q I mean, does he feel it should be something that must be tackled immediately?

MR. NESSEN: He indicated last Saturday, and he has not changed his mind, that he would like this legislation to go forward as soon as possible.

Q Would he like that legislation to have some effect on schools opening this September?

MR. NESSEN: That was the same question over here, Ann, and I said I would have to check the answer to the question.

Q Was there any mention in the meeting about the reaction in Boston to the Attorney General's announcement of Saturday?

MR. NESSEN: As I recall it, there was no discussion of the Saturday decision at all.

Q Was there any mention of violence, vandalism, that took place in Boston after the decision was announced?

MR. NESSEN: No. As I say, there was no discussion of the Boston decision at all.

Q If it had not come out in the open that Boston was being considered and the Attorney General had rejected Boston, it probably would never have been announced?

MR. NESSEN: That is correct.

Q Therefore, would there have been this meeting today on the legislation?

MR. NESSEN: I don't know. How can I say that? But you know the fact is that a while back the Justice Department considered the Pasadena case with no publicity whatever and decided it was not the proper case and walked away from it and there were no newspaper stories and no intense questioning here. The point is that I think it really goes to the same thing that I have been trying to get over for a long time without any success; that is, the White House has not raised this up. It is a political issue.

Q You are sure running with it.

MR. NESSEN: Anyhow, I was asked earlier when did the President direct the Attorney General to draft such legislation to limit busing. In early March the President had Jim Cannon, in his capacity as head of the Domestic Council, send a memo to the Attorney General on behalf of the President directing the Attorney General to prepare draft legislation which would minimize forced school busing for his consideration, so that is early March, April, May. I guess two and a half months.

Q You asked Levi for a court case six months ago and he could not find it and now you are asking for legislation two and a half months ago and he could not find it.

MR. NESSEN: Wait a minute. What do you mean he can't find it. It is here.

Q You say he has it and you are still reviewing it and reworking it. Is the President satisfied at the pace at which the Attorney General conducts his business?

Q Is he satisfied with the premise to avoid court orders that has been proposed in the legislation?

MR. NESSEN: Let's just wait and see the legislation.

Q It is very complicated, even the way the President described it.

MR. NESSEN: It is very complicated. That is why a lot of people sat around the table today and had a serious discussion about it.

Q One question in my mind, it is clear the President will submit legislation.

MR. NESSEN: It was clear last Saturday and it is clear today this legislation is the legislation to accomplish this purpose.

Q And it is clear the legislation he was describing would be the legislation?

MR. NESSEN: That is a generalized description of what the legislation will do, that is correct.

Q I guess what I am getting at is this afternoon, working from what he said inside, he was talking about the proposed legislation.

MR. NESSEN: Right.

Q I couldn't tell from his remarks whether that meant that this proposed legislation was in fact what he would send up without being refined. In other words, this is the concept that he is following, is that correct?

MR. NESSEN: That is correct.

Q So that is now an established fact?

MR. NESSEN: That's right.

Q In the interview he also talked about putting up money for cluster schools, is he prepared to do that?

MR. NESSEN: This is another aspect of it, not part of the legislation that Levi is drafting. This is more in the area of some of the ideas that Secretary Mathews has.

Q Ron, have you cited any examples here of busing that was prompted by factors other than official acts?

MR. NESSEN: I said, Russ, that I am just not enough of a constitutional lawyer to do that.

Q So the legislation now being considered which would completely ban busing that results from factors other than --

MR. NESSEN: Wait a second. I agreed with John Cochran this morning when he gave me a generalized description. I don't have to agree with John, although I am glad to. The President has given a generalized description two or three times in the past couple of days of what he wants the legislation to accomplish and I would rather stick to that definition.

Q That definition does include the banning of school busing as a remedy for segregation that is resulting from factors other than official action.

MR. NESSEN: I think it is worded the other way, Russ, that the remedy of busing should apply in those cases to remedy those situations of segregation of students which arise out of official acts.

Q What I am trying to do is to apply the legislation now being considered to cases around the country that presently exist. For example, would it apply to Cleveland or would it apply to Louisville?

MR. NESSEN: You mean would it literally apply to those cases or would it apply to situations like those?

Q Situations like or those particular cases.

MR. NESSEN: In the particular cases, as I said before, the question of any retroactive effects of the law, whether it has any at all or should have any at all, is one of the matters being considered in putting the legislation together.

Now on the question of whether it applies to situations like those that you mentioned, I am just not enough of a lawyer to answer that question.

Q The President, in one of the TV interviews that you made available today, expressed his hope that passage of this new proposed legislation, in conjunction with the 1974 Esch Amendment, would eliminate or minimize forced busing in cities in which it is already taking effect, so doesn't the President clearly address himself to that and doesn't he maintain, if Congress passes his new legislation, that there will be less busing in cities like Boston? Is that not the proper conclusion?

MR. NESSEN: I have to see that quote. I don't recall that particular passage that you quoted.

Q Ron, he also said that he could cite specific examples where school boards, city officials and the courts have gotten together to avoid extensive busing. Could you tell us who those are?

MR. NESSEN: The one he cited most often in my hearing is the Detroit case where there was an original ruling which called for quite extensive busing and then, if I understand correctly, there was another judge that took over in the case because of either the illness or death of the original judge and a second or revised order was handed down and that called for considerably less busing than the original order. That is the case that I have heard the President speak of most often when he says there are ways to limit the amount of busing and still accomplish the goal.

Q Ron, did I understand you to say that nobody in the room today opposed the idea of this legislation that the Attorney General is working on?

MR. NESSEN: Not in my hearing they did not.

Q I thought you said there were a variety of views expressed.

MR. NESSEN: Right, but somebody said -- I forget who it was -- "didn't anybody get up and say 'Mr. President, that is wrong, you should not do that.'" And I said, "No, nobody said that."

Q Did anyone dare?

MR. NESSEN: Well, those folks in the room, I think, were not reluctant to express their opinions.

Q Ron, as far as you can tell, everybody in the room agreed with the idea or the principle of legislation to limit busing but they may have disagreed on how to go about it.

MR. NESSEN: There was nobody in the room who stood up and said what somebody suggested they might have said, which is "I oppose that," or "I don't think you ought to do that." Nobody said that.

Q Did anyone raise the constitutional question, the legal question?

MR. NESSEN: I think I answered that before and said I did not hear discussed the question of whether this legislation contained any unconstitutional factors.

Q You also said Levi said there are some extremely complex legal problems involved in this.

MR. NESSEN: There are.

Q Did Levi raise any questions about those legal problems vis-a-vis the legislation itself?

MR. NESSEN: Certainly. He discussed many of the legal problems involved in this issue.

Q Did he tell the President there may be some problems with the constitutionality of it?

MR. NESSEN: I said, Walt, about three times that the question of whether this could be done constitutionally did not come up at this meeting.

Q Is there a question of retroactivity? Is that a complicated legal problem?

MR. NESSEN: Somebody mentioned, you know, what would be the application of this legislation and it is one of the matters that is being considered as part of the legislation.

Q Ron, did the President express a view that he would like to see it enacted?

MR. NESSEN: He did not. It was only a very passing reference to that aspect.

Q We get the impression, Ron, that the Attorney General is acting under the direction of the President and he is being a good soldier but he is really not very enthusiastic about the whole idea.

MR. NESSEN: I know there are some folks over at Justice floating that idea. I suggest you ask the Attorney General and I think you will get quite a different idea if you ask him.

Q He never holds a news conference. He is unapproachable, and inaccessible. It is really a bad situation over there.

Q Ron, did anybody bring up the possibility that legislation could raise false expectations? Did anybody say they must be very careful that we don't inflame passions? Did anybody talk about the sociological impact as opposed to just the legal?

MR. NESSEN: It was primarily a discussion of the legal aspects.

Q Ron, could I bring up a question? Yesterday, did not you tell me that the Administration was considering a prefatory meeting at Geneva -- I am serious about this, I am sorry I missed most of today's briefing -- for obvious reasons I am sorry I missed it -- but didn't you tell me that the day before yesterday?

MR. NESSEN: Dick, I told you exactly what I told everybody who has asked me about this matter in the past three months and the same thing Kissinger has said since you have talked to him about it since London, and what the State Department has said, which is we will help the parties take steps toward peace and the steps will be of their choosing and in the form of their choice.

If they want to do it step by step, we will help; if they want to do it at a Geneva forum or if they want to do it at some sort of preparatory meeting prior to Geneva, we will help. That has been our position.

Q Didn't you specifically cite without any prompting from me the fact that consideration he was being given a prefatory meeting in Geneva?

MR. NESSEN: I did not say anything yesterday that I did not say for three months before.

Q Didn't you say it yesterday?

MR. NESSEN: Among the various choices. The same choices we have had all along, though.

Q But you specifically cited that one.

MR. NESSEN: Along with the other two.

Q I don't understand what I heard about today's briefing, then, Ron.

MR. NESSEN: I have to go to a 5:30 meeting on another matter. Have we beaten the subject to death? I called you, Dick, on the phone yesterday and suggested that you had gone very much too strong on that story, but anyhow, we will talk about that later.

Q No, I am afraid that is not exactly the tone of what you said yesterday, but never mind. I still don't understand what I heard about today's briefing, a little thing about it being wrong. It wasn't wrong, and you know it wasn't wrong, Ron.

THE PRESS: Thank you, Ron.

END (AT 5:30 P.M. EDT)