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BUSING AND INTEGRATION

Q. What is the answer to integrating blacks in our society? Why are you against busing? What do you propose instead of busing?

A. I believe that it is the responsibility of the government to insure that no impediments are placed upon any American's pursuit of equal opportunity, regardless of race, color or creed. Also, I believe it is the responsibility of Americans as individuals to make sure that all other Americans are treated as equal citizens.

I am in favor of racial integration. I am dedicated to the constitutional principle of desegregated schools. And I will, as President, uphold the law of the land.

However, I do believe that court-ordered busing is a bad remedy to achieve the goal of racial integration. There must be ways to achieve an integrative education in schools that are closer to home, and in ways that cause less disruption. Some possible remedies are contained in the Equal Educational Opportunities Act of 1974 (Esch Amendments). Even if those remedies are held not legally sufficient by themselves in certain cases, there must be some way of combining them with new alternative approaches to meet the constitutional mandate.

In this regard, I have instructed the Attorney General and the Secretary of HEW to seek the development of other possible remedies, and I am optimistic that this will result in some creative alternatives.

And though busing is a desegregation remedy, I believe that this should not prevent us from examining what impact it has on another important American goal -- good education. I believe that every American child is entitled to a good education.

A good education is not always easily achieved. In fact, recent studies have raised questions about many of the factors we once considered sufficient to meet this goal -- money, smaller classes, and so forth. The elements necessary to provide good education are changing, and we must continue to work on finding new ways to improve and strengthen our educational system.

# Uranium Enrollment

## 2. Food Stamps

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

## 3. Busing

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

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

September 9, 1975

SUBJECT: PRESIDENT'S VIEWS ON BUSING

In an interview with the President in Newport, Rhode Island, the President stated that he was not in favor of forced busing to achieve racial integration and that if the courts would follow a law passed two years ago, we would have avoided a lot of this conflict. The President stated that there were five or six rules or options, and that busing was the last option.

What were the other options that the President said he favored rather than busing?

**GUIDANCE:** The President was referring there to Title II of the Education Act Amendments of 1974. As you know, these amendments set forth the priorities for remedying and providing equal educational opportunities and provides for equal protection under the law.

Some of the other provisions that the President was referring to include an open enrollment program, whereby students are permitted to transfer from one school to another, purely on a volunteer basis; the creation or revisions of attendance zones which really means redistricting; the establishment of the magnet school which means improving the curriculum of these certain schools to make them the most modern and most complete in the area, so that people are attracted voluntarily to these schools, etc., etc.

We have copies of the Education Act Amendments which we could provide you which gives you all of the details, but these are some of the examples that the President was referring to.

JGC

## VIEWS ON BUSING

Q. What are your views concerning court-ordered busing to achieve racial balance?

A. Let me start by stating that, as President, it is my responsibility to uphold the Constitution and the laws of the United States and that I intend to do so. When a court has ruled and has issued an order, that court order must be obeyed. Neither violence nor disregard for the law can or will be tolerated.

Let me also say that I encourage debate and reassessment of the busing issue for, as a matter of policy, I do not believe that forced busing is either a good or effective tool for achieving equality of opportunity and quality education.

Shortly after I took office, on August 21, 1974, I signed into law the Elementary and Secondary Education Act Amendments (see Tab A) which was an omnibus education bill designed to increase equal educational opportunities. Among the bill's provisions was an improvement in the distribution of Federal funds to elementary and secondary schools and an improvement in the management of Federal education programs. In addition, the Act set priorities for remedies to correct denials of equal educational opportunities and denials of equal protection of the laws. These priorities essentially followed the standards currently applied by the courts. In implementing these remedial priorities, however, the Congress expressed its policy that no plan be put into effect which "would require the transportation of any student to a school other than the school closest or next closest to his place of residence which provides the approximate grade level and type of education for such student." Section 1714(a). At the same time, the Congress correctly provided that this policy would be inapplicable if the 14th amendment required different relief.

This Congressional expression of policy provides a good vehicle for discussion. It should be made clear that busing is not the right we are seeking to protect. Equal educational opportunity is the right, and busing is only one partial remedy among many. Some proponents of busing have thought that by simply requiring integration of schools and school systems, equality of education and future opportunity would

become a reality. The sad fact is that in all too many cases this has not happened.

Numerous recent reports and studies, including one by Dr. James Coleman (see Tab B), a long-time proponent of busing, show that busing is not working. The evidence is that the educational achievement of black students has not improved as markedly as was expected and that urban school systems are becoming resegregated as a result of white flight to suburban housing patterns almost as quickly as they are integrated.

I know that many people feel that to be antibusing is to be anti-equal education for blacks. This simply is not true. If I am not mistaken, the majority of black parents do not want to have their children bused. Of course, these parents want a quality education for their children, but they do not see why a quality education cannot be provided in their neighborhood schools. They do not understand why they are required to send their children across town to get a good education. Neither do I.

I am for integration of our public schools. More importantly, at least in my view, I am for quality education for every American youngster. I believe we must begin to explore ways of assuring that each and every school, no matter where located, is a place where each and every student, no matter of what race, can get a quality education. Many school districts throughout the nation have been able to come to grips with the problem of providing quality education for students in an integrated environment without having to commence forced busing. Through improvements in curriculum and facilities of certain schools, through development of creative teaching innovations, and because of the good faith and hard work of school boards, school administrators, teachers and parents, these school districts have been able to achieve quality education in an integrated environment by voluntary action. The fact that these objectives can be achieved without court order leads me to believe that viable alternatives to court-ordered busing exist. We must more actively address ourselves to these alternatives.

CONSTITUTIONAL PROHIBITION ON BUSING?

Q. Would you recommend a Constitutional Amendment prohibiting busing for the purpose of achieving racial balance?

A. First of all, as you know, the President has no formal role in the development or passage of amendments to our Constitution. Therefore, I certainly could not initiate such an amendment. Moreover, I do not think that I would recommend such an amendment either. While I do not think that massive busing of school children is the answer to the problem of providing a quality education to all, I recognize that there may be limited instances in which some busing, in conjunction with other remedial actions, is appropriate. I would not want to see the Executive Branch or the courts constitutionally forbidden from utilizing this remedy in an appropriate situation.



SUMMARY OF ARTICLE BY  
DR. JAMES S. COLEMAN, SOCIOLOGIST  
N. Y. TIMES MAGAZINE AUGUST 24, 1975

1. 1966 Coleman Report on lack of equality of educational opportunity concluded that children from disadvantaged backgrounds did somewhat better in schools that were predominantly middle-class than in schools that were homogeneously lower-class. It was the economic and social class background of schoolmates rather than racial background that made the difference. However, since a high proportion of blacks came from economically disadvantaged backgrounds, the implication of the Report was that their opportunity to receive the kind of educational resources that came from being with middle-class schoolmates would necessitate racial integration.
2. Coleman now says that conclusion of the Report was that equal educational opportunity was augmented by school integration but did not require school integration. Coleman challenges the decisions of the courts that equal educational opportunity can be provided only by integrated schools.
3. In many of the school systems that have undergone desegregation, one cannot find any beneficial effect or achievement. However, sum total of evidence suggests that school integration does, on the average, benefit disadvantaged children. Benefit is not very large, not nearly as great as the effects of the child's own home background.
4. 1975 Coleman study shows, on the basis of preliminary results, that as the proportion of blacks rises in a school, the proportion of whites leaving the school also rises. Thus, it is not only the rate of desegregation that needs to be watched; it is also the actual proportion of blacks in the system. This

effect shows up in Northern and Southern cities. Coleman believes that a real factor in white flight to suburbs is school desegregation as well as other big-city ills. This desegregation may occur more in the North than in the South because the North has more suburbs available for people who can afford it to move to. However, 1975 study also showed that middle-sized cities, in contrast to large cities, did not experience much white flight.

5. If in Boston or Detroit, middle-class whites flee to the suburbs and lower-class white children are integrated with lower-class black children, Coleman's 1966 study indicates that there would be no educational benefit.
6. Coleman remains a proponent of integration but believes that we should pursue policies that stem the flow of whites rather than help create a black central city. If we continue on our present course, integration in the future will be much more difficult to attain.
7. Busing is one of the policies which Coleman sees as counter-productive because it pushes whites into the suburbs.
8. Coleman agrees with the courts that in violation of the 14th amendment some school districts, such as Detroit, have strengthened segregation in the system by gerrymandering school districts or by the way new school buildings are located and by other techniques. This denies equal protection to black children because they have been systematically excluded from attending certain schools. Courts in such cases have imposed a remedy that requires a racial balance in all the schools of the system and that can be achieved only through busing. Coleman disagrees with this remedy and suggests instead that the aim should be to eliminate the specific segregation that occurred, i. e. eliminate the gerrymandering and redraw the school district lines to increase integration. This could be done in a number of ways: through voluntary busing, through building of new

schools, through reassigning of schools to different grade levels. This would leave some segregation but Coleman argues that equal protection does not require that all segregation be eliminated and that total elimination would not be desirable.

9. Coleman opposes the Boston court decision because the remedy is to use busing to eliminate all segregation in the city rather than eliminate just that segregation which was caused by specific actions of the Boston school district.
10. Coleman cites two long-range efforts that he views as important: (1) increase in income of blacks, and (2) elimination of residential discrimination.
11. Coleman believes that there are a lot of social ills that cannot be corrected by the courts and de facto segregation is one. There are other governmental means at our disposal. If one insists on integration now, busing is the only way. Coleman argues that a stable solution will take time and should be centered around governmental and private action to make the central city attractive for middle-class whites, to make the suburbs available to middle-class blacks, and to provide jobs for lower-class blacks.
12. Coleman proposes an experiment with a voucher system in which each central-city child gets per-pupil funds to attend any school in the metropolitan area outside his own district. He sets some restrictions for the program: it would not be subject to a local veto; whites could not move from black schools to white schools; and the move should not increase racial imbalances.
13. Coleman believes that integrated schools could be made more attractive to middle-class whites. For example, giving integrated schools larger budgets than non-integrated schools; keeping integrated schools open from the time parents went to work until the time they came home; providing enriched educational programs in integrated schools.

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**INTEGRATION,**

**YES;**

**BUSING,**

**NO**

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## ALTERNATIVES TO BUSING

Q. What are some of these ways you think can achieve a good integrated education without busing?

A. There are many ways, some of them outlined in what was called the Esch Amendment approved by the Congress last year, and incidentally, I supported the Esch Amendment when I was in Congress. Also various court orders have spelled out ways to assure quality, integrated education without busing. But each community's problems have to be worked out in that community to fit its own needs and circumstances, and I just can't give a single formula that will fit every city and every school district in this country. What I want to do is to urge the parents and the school boards and the teachers and the principals and local officials in every community to work together in a cooperative spirit to devise the best plan for quality, integrated education in their own community, keeping in mind that we must do what is best for all our children.

## BUSING

Question: Why are you opposed to busing? What are the alternatives?

Answer: I am dedicated to the constitutional principle of having public education which does not discriminate against any group of students. And I will, as President, uphold the law of the land.

However, I do believe that court-ordered busing is not a good remedy to achieve the goal of racial integration in our schools. There must be ways to achieve integrated education in schools that are closer to home and in ways that cause less disruption than busing does. Some possible remedies are contained in the Equal Educational Opportunities Act of 1974 (Esch Amendment). Even if those remedies are held not to be legally sufficient by themselves in certain cases, there must be some way of combining them with new alternatives and approaches to meet the constitutional mandate. In this regard, I have instructed the Attorney General and the Secretary of HEW to seek development of other possible remedies, and I am hopeful that this will result in some creative alternatives.

Though busing is a desegregation remedy, I believe that this should not prevent us from examining what impact it has on another important American goal -- good education. I believe that every American child is entitled to a good education. But a good education is not easily achieved. In fact, recent studies have raised questions about many of the factors we once considered enough -- more money, smaller classes, and so forth. We have to keep working at finding new ways to achieve a good education for all our children.

September 17, 1975

SUBJECT:

PRESIDENT'S VIEWS ON COURT-  
ORDERED BUSING

In his press conference yesterday, the President said that Federal Courts in many instances have ignored a 1974 law requiring them to consider other proposals before they actually use the busing remedy. The President outlined the law which sets forth seven specific proposals that the court should follow before they actually order busing.

Can you give us some examples of the Federal Courts where the judges have ordered busing without considering some of the other alternatives?

**GUIDANCE:** The President feels he should not intrude the Executive Branch into the Judicial Branch by commenting or referring to specific cases.



September 9, 1975

SUBJECT:

PRESIDENT'S VIEWS ON BUSING

In an interview with the President in Newport, Rhode Island, the President stated that he was not in favor of forced busing to achieve racial integration and that if the courts would follow a law passed two years ago, we would have avoided a lot of this conflict. The President stated that there were five or six rules or options, and that busing was the last option.

What were the other options that the President said he favored rather than busing?

GUIDANCE: The President was referring there to Title II of the Education Act Amendments of 1974. As you know, these amendments set forth the priorities for remedying and providing equal educational opportunities and provides for equal protection under the law.

Some of the other provisions that the President was referring to include an open enrollment program, whereby students are permitted to transfer from one school to another, purely on a volunteer basis; the creation or revisions of attendance zones which really means redistricting; the establishment of the magnet school which means improving the curriculum of these certain schools to make them the most modern and most complete in the area, so that people are attracted voluntarily to these schools, etc., etc.

We have copies of the Education Act Amendments which we could provide you which gives you all of the details, but these are some of the examples that the President was referring to.



JGC



VIEWS ON BUSING

Q. What are your views on court-ordered busing to achieve racial balance?

A. I am opposed to it for a very simple reason: it does not work. It does not reach the goal which is to assure every child, regardless of race, a quality education. In the public debate over busing, it seems to me that we have lost sight of what the debate is all about. We are not trying to assure our children of the right to be bused. We must assure our children the right to get a first-class education, wherever they go to school. There are many ways, and we should be using all of our talents and skills to use these ways, to make sure that every school in every neighborhood provides our children with a top-quality education in an integrated environment. I want to be sure you clearly understand that I will uphold the law of the land and the orders of every court and expect the citizens of this country to do the same.

BOSTON AND LOUISVILLE SCHOOL DESEGREGATION

Q: Has there been any request for federal troops to quell the violence in Boston or Louisville?

A: No, there have been no requests. The report from Boston this morning is that the situation is quiet and there have been no incidents of violence.

Q: Is the White House monitoring the situation in either city?

A: There is a federal presence in both cities. In Boston, Assistant Attorney General Stan Pottinger is coordinating the efforts of about 100 Deputy U.S. Marshals, 14 Community Relations Service personnel, about 50 FBI agents, and six attorneys from the Civil Rights Division. Pottinger is the senior civilian representative of the Attorney General. In Louisville, the U.S. Attorney is in charge. There are two attorneys from the Justice Department, about 30 Deputy U.S. Marshals, five members of the Community Relations Service and some additional FBI agents.

Q: Has there been any contact between the Justice Department and the White House?

A: If there is information which should be brought to the attention of the President, I am sure the Attorney General will do so. There has been some informal contact between the Justice Department and the Domestic Council.

9-8-75  
JWH

May 12, 1975

SUBJECT:

BOSTON JUDGE ORDERS INCREASED  
SCHOOL BUSING

A Federal Judge issued a school busing plan which will require busing about 21,000 public school children, including 12,000 in lower grades. Judge Garrity said that busing was necessary because the assignment of every student to the school closest or next closest to his residence cannot achieve substantial desegregation in Boston due to the geography of the city and racial and ethnic distribution in the city.

What's your reaction to the busing order in Boston?

GUIDANCE: HEW is looking at the decision and reviewing it and will be preparing a report for the President for his information.

But as you know, this decision is a matter that is before the courts and essentially a judicial problem.

We hope that the Boston community will abide by the final decision of the court and avoid the situation that occurred last year.

JGC

December 13, 1974

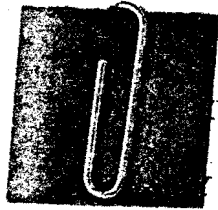
SUBJECT: LOUISE DAY HICKS TELEGRAM  
TO THE PRESIDENT

The New York Times is carrying a story this morning that City Council or Louise Day Hicks has sent a telegram to the President 'urging him to come to Boston to see the 'tragedy and trauma that now engulfs our beloved and no longer peaceful city. ' Will the President agree to Mrs. Hick's request?

GUIDANCE: The telegram from Mrs. Hicks just arrived at the White House this morning. It is my understanding that the telegram says nothing about an invitation to the President to come to Boston, but is an appeal for an end to "social edicts" and a return to justice and peace in Boston. The President has not [REDACTED] had time to reply to the telegram.

FYI ONLY: COPIES OF THE TELEGRAM AND THE NEW YORK TIMES ARTICLE ARE ATTACHED. GUIDANCE FROM YESTERDAY AS TO OTHER ASPECTS OF THE SITUATION INCLUDING FEDERAL ACTION STILL HOLDS GOOD. BUCHEN'S OFFICE IS PREPARING A RESPONSE TO MRS. HICK'S TELEGRAM.

Boston High Schools Hit by Walkouts



ORIGINAL TO: PHILIP BUCHEN

TO: BILL ROBERTS, PRESS FYI OFFICE

*Philip Buchen*

WH3 007(1031)(2-008743E346)PD771273274A103145

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PMS PRESIDENT GERALD FORD

WHITE HOUSE DC

I AM CALLING UPON YOU TODAY TO PLEAD THE CASE OF A HEARTBROKEN PEOPLE WHO FEAR JUSTICE HAS FLED THIS CITY. WE MUST BE GIVEN OUR CHANCE TO PRESENT THE HUMAN SIDE OF THIS CONTINUING TRAGEDY. THE TERRIBLE TEMPER OF THE TIMES DEMANDS REFLECTION BEFORE A DEATH OF A CHILD OR ANOTHER STABBING BEARS FURTHER WITNESS TO OUR HELPLESSNESS

TODAY I BRING YOU MY APPEAL PERSONALLY NOT AS A FORMER COLLEAGUE IN THE UNITED STATES CONGRESS, NOT AS A COUNSELOR, NOT AS AN ATTORNEY, BUT AS A HUMAN BEING WHOSE HEART ACHES FOR A RETURN TO JUSTICE AND AS A CHRISTIAN EXPRESSING COMPASSION FOR MY FELLOW MAN AND AS A MOTHER SEEKING A BETTER WORLD FOR MY CHILDREN AND

THEIR CHILDREN

IF YOU CAN SEE THE LIGHT CLEARLY LET ME SHARE YOUR VISION  
IF YOU KNOW THE WAY TO HARMONY LET ME SHARE YOUR KNOWLEDGE  
IF YOU HAVE DISCOVERED TRUTH LET ME SHARE IN YOUR DISCOVERY  
YESTERDAY I WAS AN EYE WITNESS TO TRAGEDY. BLOOD IS NOW FLOWING  
IN OUR STREETS LET US CAST ASIDE THE DEHUMANIZED VERBEAGE OF  
SOCIAL EDICTS AND IN THE SPIRIT OF CHRISTMAS LET THERE BE PEACE  
FOR THE PEOPLE OF BOSTON

LOUISE DAY HICKS

NNNN

Q. Is the government doing anything about the deteriorating situation in South Boston?

A. I understand the schools in South Boston have been closed by local officials due to the situation there.

As for the role of the Federal Government, we are involved in two areas, both under the auspices of the Justice Department.

First, the FBI, in conjunction with the Boston police, is investigating the stabbing incident because of the apparent civil rights violation.

Second, representatives of the Community Relations Service are mediating disputes between student groups.

Q. Is the President being kept informed of the situation?

A. Yes, <sup>official</sup> his legal counsel is doing that, as the situation warrants it.

December 5, 1974

SUBJECT:

HOUSE APPROVES AMENDMENT  
CURBING BUSING PROGRAMS

The House voted yesterday to accept a compromise that could effectively ban the busing of school children to achieve racial desegregation. The Holt Amendment, attached to a Supplemental Appropriations bill, would prohibit any of HEW's \$5.8 billion over the next two years to be used to classify or assign students or teachers by race, sex, or religion.

What is the Administration's reaction to the Holt Amendment?

GUIDANCE: As you may already know, Secretary Weinberger feels that he could not carry out his Department's responsibility under Title VI of the Civil Rights Act to enforce desegregation plans. His comments made clear in a letter to Senator Warren Magnuson, the Chairman of the Subcommittee on Labor-HEW, of the Committee on Appropriations.

There are others with the opinion that the Department can continue to enforce the provisions of the Civil Rights Act. Therefore, we have asked the Justice Department for their interpretation of the amendment.



October 15, 1974

BOSTON BUSING

Governor Sargeant of Massachusetts called the President about 7:00 Saturday night. They discussed the busing situation and what the Governor could do and what the Federal Government could do and the President reiterated that law enforcement and the maintaining of law and order is a state and local responsibility and he told the Governor that Federal troops are available in such situations only after the state and local officials have completely exhausted their resources and the President does not feel these resources have been exhausted.

The President is pleased that relative calm seems to be returning to Boston.

10/12/74

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT  
REQUESTED BY BOSTON MEDIA REPRESENTATIVES

Boston is a fine, proud City. The cradle of liberty. Where many of the freedoms that we all so cherish today in this Country, were born, 200 years ago. The people of Boston share a tradition for reason, fairness and respect for the rights of others. Now, in a difficult period for all of you, it is a time to reflect on all that your City means to you. To react in the finest tradition of your City's people. It is up to you, every one of you, every parent, child, to reject violence of any kind in your City. To reject hatred and the shrill voices of the violent few.

I know that nothing is more important to you than the safety of the children in Boston. And only your calm and thoughtful action now can guarantee that safety. I know that you will all work together for that goal. And have one more thing to be proud of in the cradle of liberty.

*Deplores violence Boston citizen must respect and obey the law.*



THE WHITE HOUSE

WASHINGTON ,

October 10, 1974

MEMORANDUM FOR: Ron Nessen

FROM: Phil Buchen *T.W.B.*

SUBJECT: President's response on 10/9/74 to question on Boston school desegregation crisis

Possible questions you may get at press briefing today and proposed answers are as follows:

- Q. Was the President accurately informed in stating that the ~~marshals~~ are under jurisdiction of the court and not directly under "my jurisdiction"?
- A. A U.S. marshal appointed by the President is assigned to each Federal court district along with deputy marshals, but there are only a few in each district. Supervision and direction of all Federal marshals is exercised by the Department of Justice.
- Q. ~~Was it appropriate for the President to express his disagreement with the Judge's order because of his consistent opposition to forced busing as a means to solve the needs of quality education for all students?~~
- A. The President was careful to point out that while he disagreed philosophically and as a matter of policy with forced busing as the best remedy for educational deficiencies, he was careful to say that "I think it is of maximum importance that the citizens of Boston respect the law." It is also his view that the Judge late yesterday acted correctly in rejecting Boston Mayor White's request to have additional marshals brought in to help control the disturbances but instead ordered the Mayor to bring in additional police from other Massachusetts cities to supplement



the Boston police force in South Boston. Also, it is reported that Massachusetts Governor Sargent has responded to a request by the Mayor to assign State policemen to the area. It is the policy of this Administration not to authorize Federal intervention in state law enforcement unless and until the resources available at the local and state levels are fully used, including, if necessary, use by National Guardsmen under state jurisdiction. The President also expressed his belief that Federal involvement would not prove necessary in the South Boston situation.