September 18, 1981

Morton Blackwell
Office of Public Liaison
Room 901
Old Executive Office Building
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

Dear Mr. Blackwell:

Please help stop forced busing. It is only going to hurt the children instead of helping them.

Thank you.

Sincerely,

Mary Schlemeier
607 Lemonwood Dr.
Ballwin, Mo. 63011

Sept. 19, 1981

Mr. Morton Blackwell
128 Executive Office Buil.ding
Washington, D.C. 20501

Dear Mr. Blackwell?

I am a parent of 2 children in the Raytown, Missouri, ConsolidatedSchool District # 2. I am very concerned and upset of late over the forced busing of school children around our area. It is getting closer and closer to us, and we, the parents, do not like it. There is no excuse to bus children out of Raytown into the Kansas City, Mo. schools. The idea of forced issues on anything is very unconstitutional, as I see it. We bought our home solely on the basis of the good schools in this district, and we certainly do not want our children taken out of their own neighborhood, away from their friends, to ride for 45 minutes one way to a strange district where they know no one. We protect our children i n the womb, after the birth, and up to the age of 5. Then, they become the property of the government. This is grossly unfair to our children. They have no rights at all when it comes to their education, and it is our duty as parents to fight for them. The busing issue was a plank in President Reagan's campaign, he was going to do away with it, but it would seem now that he is getting luke warm on the issue. Many Americans voted for him because of this promise. We do hope that he will keep his promise and see that this FORCE is made unconstitutional.

Busing is not benefitting anyone but the bus companies, the oil companies, and the people who they hire to drive the buses. Our children are the least of anyone's concern on this. We feel that to bus for the sole purpose of integration is an infringement of our children's rights. We feel that if a child lives in any given district, he is entitled to go to the closest school, regardless of race, color, or creed, but to take that same child out of his district is WRONG.

Mr. Regan has met with the leaders of the "GAY RIGHTS" movement, the militant feminist movement, WHY NOT THE MOVEMENT OF THE PEOPLE WHO ARE WORKING FOR THE RIGHTS OF OUR CHILDREN, THE FUTURE LEADERS OF OUR COUNTRY?// He has refused to meet with any of the representatives of N.A.N.S. to this date. We pray that you will read our letters and try to understand what this busing is doing to the children of America. We have taken away all their rights before they ever graduate. What kind of a government do they think we have? What kind of citizens will they be? Think about it. Please do something about this forced busing.....NOW, in this session of Congress.

Thank you,

Robert J. Williams
7107 Ralston
Raytown, Missouri 65133

September 23, 1981

Morton Blackwell
Old Exec. Off. Bldg.
Washington, D. C.

Dear Mr. Blackwell;

Being a loyal Democrat for all of my voting years, I found it difficult last election to vote for a Republican. But Ronald Reagan spoke in such a way on issues that are very important to me, that I felt compelled to cast my vote for him.

His stand on forced busing was one deciding factor. He ran on the GOP platform stating "There must be no forced busing." I will hold him to this promise. We are fighting for our schools

here in the St. Louis area.

Remind him that we are awaiting his action or reaction. Apparently his Dept. of Justice under Wm. French Smith IS STILL PUSHING FORCED BUSING.

We need action now before the courts take all rights to the education of our own Children away.

Sincerely,

Barbara Bradshaw
Box 6
West Alton, Mo.
63386

1406 Widefield Lane
St. Louis, Missouri 63138
September 23, 1981

Morton Blackwell
128 Executive Office Building
Washington, D.C. 20501

Sir:

I am vehemently opposed to forced busing. We took great care in selecting a house located in a good school district. We pay taxes to the Hazelwood School District, which is where I expect my children to attend. Now, our children are in jeopardy of being transported miles into the city of St. Louis in order to attend school. This travel will not improve the quality of education they are receiving. It will only cause them to leave hours earlier than they would need to walk two blocks to our neighborhood school. I can see no advantage to busing students away from their locale.

In campaigning, the Republican Party promised to take a stand against forced busing. So far, I can see no evidence of any real effort to fulfill this promise. I realize there are other issues of importance; however, while you are delaying, more and more children are being forced to attend schools other than those in their own neighborhoods.

I believe it is time to check the power of the courts. The court "interpretation" of the laws seems to be much more than this. They are very close to "enacting" laws with some of the

steps they have taken. This country was founded on the principle of "no taxation without representation"; yet, the courts have raised taxes without a vote of the people. How can this happen? Why is it that the school districts must get voter approval to increase the tax rate a few cents, yet a judge is allowed to unite school districts with different tax bases and arbitrarily set the tax rate for the new district as was done in the Ferguson-Florissant, Kinloch, Berkeley merger?

I fully expect that as a representative of the people you will begin to act as the majority demands. We are asking your help in stopping the busing of our children to schools other than those in their own neighborhoods. Thank you for your cooperation.

Sincerely,

(Mrs.) Sheila N. Fredrick

Dear Sir: 9/23/81

We are very much opposed to forced busing. We moved from a home with a 2 yr. mortg. left on it to a home in a better neigh. with better schools. We did this to get our sons a better education in schools nearer our home. We went into debt for another 30 yrs. to do this. Our eldest son has only to work 30 ft. out our back gate onto the school grounds. It would be a crime if he were bused, he leaves at 7:a.m. as it is. With the cost of gasoline, buses, repairs, and the low mileage busesget, how can anyone condone busing? It is a waste of taxpayers & parents $ and children's time. What can my sons learn on a bus??? They are good boys & I want them to get the best education they can near home. Pres. Reagan has promised to stop this shameful waste of $ & time. Ask him to stand by his word to the american people. Both black & white do not want to be bused, what does it gain the children, certainly not a better education. It only gives them long rides to a strange neighborhood, KEEP OUR CHILDREN AT HOME WHERE THEY BELONG.

Lt. Harold MacDonald

H. E. MCDONALD JR.
1264 VISITATION DR
ST LOUIS, MO.
63125

Mr. Morton Blackwell
Off. of Public Liasion
Room 191 Old Exec. Off. Bldg.
White House
Washington, D. C. 20500

9330 Melanie Dr.
St. Louis, Mo. 63137
Sept. 17, 1981

Mr. Martin Blackwell
128 Executive Office Bldg.
Washington, D. C. 20501

Dear Sir:

Please give this your urgent attention. The people need to get clear of the Busing Issue to be able to feel the government still believes in our freedoms. Forced Busing is not a form of giving us freedom_to send our children to the school of our choice. Besides it again put yet another tax burden on us - the maintaining of those busses which is something else we are not even being consulted about, just told it is happening.

This is my request. As a concerned citizen and taxpayer, I urge you to support a Constitutional Amendment and/or legislation which would eliminate the policy of forced busing to achieve racial balance in our public schools. Incidentally, our school is more than balanced now black for white.

Thank you for your time and appreciate your effort.

Sincerely,

Jeanette Peterman
9330 Melanie Dr.
St. Louis, Mo. 63137

Sept 16, 1981

Dear Mr. Blackwell,

I have done my part. I voted for Presdent Reagan and I have contributed on several occassions to the Republican National committee. I appreciate the Presidents effort to date in economic matters. However, I am deeply desappointed at his total lack of leadership and of strong action to implement a program to stop court ordered forced busing of School Children.

Recently I received another letter from the RNC asking for another donation to support the Party and President Reagan. I will no longer contribute to the RNC unless I see strong action by the administration on this matter.

Sincerely,
John L. McDaniel
15057 Manor Ridge Drive
Chesterfield, Mo 63017

REPUBLICAN NATIONAL COMMITTEE

1982 CAMPAIGN GOALS and BUDGET

310 FIRST STREET SOUTHEAST · WASHINGTON, D.C. 20003

Dear Mr. McDaniel:

At President Reagan's request, I have listed our 1982 Campaign Goals and Budget to show you what a major effort the Committee is undertaking to build our Party's strength on the grass roots level next year.

To make sure you receive the special memento President Reagan has asked us to send you in appreciation of your support of the Committee, please check below the record we have of your name and address.

Sincerely,

Richard Richards

Dear Chairman Richards:

Please use my contribution in the amount marked below to fund the National Committee's 1982 Campaign Plan that will: 1) help elect a record number of Republicans to state and local offices; and 2) retain our majority control of the U.S. Senate and win majority control of the U.S. House of Representatives.

Sincerely,

_____

Mr. John L. McDaniel
15057 Manor Ridge Dr.
Chesterfield, Missouri 63017 63017MCDN057J 3h

☐ $20 ☐ $10 ☐ $_____ (other)

P.S. I have made my check payable to the Republican National Committee.

The Federal Election Commission requires that we request the following information:

_____ ☐ Please check if self-employed
Occupation

_____
Place of Business

_____
City State Zip

1982 CAMPAIGN GOALS and BUDGET

Prepared by: Campaign Division

FEDERAL RACES

U.S. SENATE

Seats controlled by Republicans:	53
Seats controlled by Democrats:	47
Seats needed to protect GOP majority:	14

U.S. HOUSE of REPRESENTATIVES

Seats controlled by Republicans:	191
Seats controlled by Democrats:	244
Seats needed for GOP majority:	27

STATE RACES

GUBERNATORIAL SEATS

Controlled by Republicans:	23
Controlled by Democrats:	27
Needed for GOP majority:	3

STATE SENATES

Controlled by Republicans:	18
Controlled by Democrats:	31
Needed for GOP majority:	7

STATE HOUSE of REPRESENTATIVES

Controlled by Republicans:	17
Controlled by Democrats:	32
Needed for GOP majority:	8

LOCAL RACES

880 CITY MAYORS (Cities over 30,000 population)

	(Approximate Percentage)
Controlled by Republicans:	24%
Controlled by Democrats/Independents:	76%
Goal for 1982 Election Gain:	25%

3500 COUNTIES

	(Approximate Percentage)
Controlled by Republicans:	45%
Controlled by Democrats/Independents:	55%
Goal for 1982 Election Gain:	10%

1982 TOTAL CAMPAIGN BUDGET: $25.2 MILLION

9/13/81

Dear Mr. Blackwell;

"As a concerned citizen and taxpayer, I urge you to support a Constitutional Amendment and/or legislation which would eliminate the policy of forced busing to achieve racial balance in our public schools."

Thank You

Mrs. Theresa C. Wesolowski
9331 Melanie Dr.
St. Louis, Mo. 63137

JEAN H. MATHEWS
DISTRICT 56
2620 N. WATERFORD DR.
FLORISSANT, MO 63033
OFFICE: 314-751-4794
HOME: 314-838-6257

COMMITTEES:
CONSUMER PROTECTION
FAIR EMPLOYMENT PRACTICES
LOCAL GOVERNMENT AND
RELATED MATTERS

MISSOURI
HOUSE OF REPRESENTATIVES
JEFFERSON CITY 65101

September 11, 1981

Mr. Morton Blackwell
128 Executive Office Building
Washington, D.C. 20501

Dear Mr. Blackwell,

As an elected official in a state threatened with massive, court ordered, forced busing of public school children, I am writing to plead for your help in getting some relief for our situation.

At the present time, the U. S. Department of Justice is making a mockery of the Reagan Administration's official opposition to court ordered, forced busing.

The State of Missouri is in the midst of a major fiscal crisis but the Justice Department and Federal Judge William Hungate appear determined to force a multi-million dollar, cross-district busing suit upon the school districts of St. Louis County even though none of the school districts involved have been found guilty of past discriminatory policies or actions. Judge Hungate, with the support of the Justice Department, will milk the depleted state treasury to pay for this "social experiment," just as he did when the City of St. Louis underwent a similar experience.

Those of us who have actively supported the Reagan Adminsitration are confused by the appointment of individuals to sensitive positions in the Department of Justice such as William B. Reynolds as head of the Civil Rights Division, Ronald Gainer as Deputy Assistant Attorney General, Carol Dinkins as Assistant Attorney General for Lands, and Edward Schmults as Deputy Attorney General. These individuals do not generally reflect the views of the Administration, but seem determined to continue the liberal policies of the previous administration.

The continuing trend of government by judicial fiat has deeply alarmed elected officials like myself as we watch the growing "judicial dictatorship" erode our representative form of government.

The hesitancy of the Reagan Administration to deal with this issue leaves local officials victims of the social architects who fill our Federal Courts and the U.S. Department of Justice.

Please respond to our dilemma by putting the support of the Administration behind legislation which will remove the power to order busing from the jurisdiction of the courts as the Constitution has made possible in Article III, Section 2.

Very Sincerely,

Jean H. Mathews,
Representative,
District 56

THE REAGAN JUSTICE DEPT.

POLITICS

■ A FEW MONTHS ago in this space I discussed the Regulatory Reduction and Congressional Control Act of 1981 (S. 890), better known simply as the Schmitt-Grassley Legislative Veto. This essential legislation would reassert congressional authority over the lawmaking process in the country by providing for oversight of new federal regulations. I am happy to say the measure has the support of most Conservative lawmakers and even some Senators who are moderate to "Liberal."

Justice Department Trouble

But this enlightened legislation received a serious jolt on April 23rd of this year when the Reagan Administration's own Justice Department submitted written testimony to Congress contending the legislative veto is an unconstitutional infringement on the powers of the Executive branch of the government. Justice made this argument despite President Reagan's clear support for the legislative veto, both in a 1979 newspaper column and in several speeches during the 1980 campaign.

The bad news gets worse. This remarkable contention of the Justice Department surprised and troubled many Conservatives, but they should not have been surprised, given the Leftist tenor of the upper echelons at Justice. Many assumed the department would pursue sound Conservative policies simply because the President is close to Attorney General William French Smith. In fact, however, Smith turned most of the hiring and firing responsibilities for the Justice Department over to his Deputy Attorney General, Edward Schmults.

To be honest, Schmults embarked on personnel policies so outrageous that at times he surprised even me; and after years in Washington I have become somewhat accustomed to seeing this sort of thing. Schmults selected Carol Dinkins as Assistant Attorney General for Lands. Dinkins controls a staff of 300 which considers federal legal action on a wide range of land-use issues. According to reliable sources, employees of Dinkins' division are leaking sensitive information to environmental extremist groups who are seeking to undercut the sound efforts of Interior Secretary James Watt to restore balance to this nation's land-use policies.

Then there is William B. Reynolds, appointed to head the Justice Department's Civil Rights Division. Under Reynolds' direction, the division recently told the City of Chicago its school integration plan was not acceptable because the plan did not go far enough in promoting forced school busing! Imagine that from a Reagan Administration.

But it does not stop there. Perhaps the worst Justice appointment for Conservatives to swallow was the *re*appointment of Deputy Assistant Attorney General Ronald Gainer. Mr. Gainer is the Kennedyite who lobbied for the massive rewriting of the federal code which Senator Edward Kennedy pushed in 1979 and 1980. Reliable sources here in Washington indicate that Gainer is coming back with a slightly amended version of his bill, which would weaken federal pornography laws, increase penalties for legitimate businessmen who transgress the minutiae of regulatory laws, reduce penalties for various drug offenses, repeal much-needed portions of the Hatch Act, and create a new abortion funding program.

With the top leadership at Justice dominated by such people we should not be too surprised that the April 23rd testimony opposing the legislative veto used the same wording as earlier Carter Administration testimony opposing the concept. Nor should we be surprised at various Justice Department opinions and/or memoranda, some officially released and others still "in-house," which falsely contend: 1) that Senator Jesse Helms' anti-busing amendments are unconstitutional; 2) that tuition tax credits violate "separation of church and state"; 3) that congressional efforts to end reverse discrimination were illegal because of legislative technicalities; and, 4) that congressional efforts to withdraw federal court jurisdiction over certain matters are unconstitutional. This last contention is particularly remarkable, since the Constitution specifically empowers the Congress to regulate jurisdiction in Article III, Section 2.

Congressman Larry McDonald (D.-Georgia) recently told his House colleagues: "The Department is consistently taking positions in both domestic and foreign affairs that are totally alien to what was promised the American people in the election of 1980. . . . Leftists are still with us in the Justice Department." The distinguished Congressman is as usual correct.

In fact, even though Conservatives did not get a fair share of positions at the upper levels of most Cabinet departments, good people *were* put into many second- and third-level spots throughout the Administration. The one clear exception to this is the Justice Department, which is staffed from top to bottom by country-clubbers and Leftists.

No one should misunderstand the importance of this: It is a serious matter because eventually nearly everything becomes a matter for Justice Department review. For whatever reason, the President has been poorly served by William French Smith and Edward Schmults. Under these men, the Justice Department has pursued policies which run counter to Ronald Reagan's stated positions on a wide range of important issues. Of course the President has had his hands full with the economic package. As he now begins to direct his attention to other key matters, Conservatives should encourage him to take a long, hard, look at the decidedly non-Reaganite policies of the Reagan Justice Department. — PAUL WEYRICH ■ ■

impacts on the busing issue

9330 Melanie Dr.

St. Louis, Mo. 63137

Sept 9, 1981

Mr. Martin Blackwell

128 Executive Office Bldg.

Washington, D. C. 20501

Dear Sir:

As a concerned citizen and taxpayer, I urge you to support a Constitutional Amendment and/or legislation which would eliminate the policy of forced busing to achieve racial balance in our public schools.

This is very important to me, as I really believe that the Judicial Branch is taking precious freedoms away from us. Forcing one to get their education miles from home at yet another expense to the taxpayer without his consent isn't my idea of what our forefathers fought for. Wasn't it freedom from Taxation Without Representation ? What are we looking at just beyond the bend in the road? Some states already have busing with all the burdens and suffering to the children.

Sincerely,

Jeanette Peterman

West Alton, Mo
Sept 9, 1981

Dear Mr. Morton Blackwell:

As a concerned citizen and taxpayer, I urge you to do what you can to eliminate forced busing in the St. Louis area. As this was a campaign promise of President Reagan, an I feel it is not being carried out.

The amount of money used in forced busing is sorely needed in the education of our children, no matter what color.

Again I ask you to do what you can to help stop forced busing.

Yours truly:

Mrs John Dreckslage

Box 8

West Alton, Mo.

63386

NANS of EASTERN MISSOURI

AFFILIATE OF

NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

5815 Michigan Ave.
St. Louis, MO 63111
August 31, 1981

ACCA
P.O. Box 4341
St. Louis, MO 63123

ANSJC
P.O. Box 444
Arnold, MO 63010

NO-BUS
P.O. Box 1123
Florissant, MO 63031

SCANS
P.O. Box 10753
St. Louis, MO 63129

STCCANS
P.O. Box 1265
St. Charles, MO 63301

WCANS
P.O. Box 814
Manchester, MO 63011

Mr. Morton Blackwell
c/o The White House; Public Liaison Office
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20501

Dear Mr. Blackwell:

Within the past two weeks I've sent several letters, each with news clippings attached. It is my fervent hope that you will study this information to better understand the extremely critical nature of our situation; and that you can use some of this data to help us.

As mentioned previously, we feel that a face-to-face meeting with Mr. Reagan is imperative, especially in view of numerous disquieting reports that have come to our attention.

(1) Mr. Meece is quoted as having told a gathering of attorneys recently that they "shouldn't worry about losing business over an impending end to forced busing!!" It appears we have a plethora of lawyers, all scrounging for whatever business they can find, and these gentlemen were worried about losing bread and butter money if busing were to end.

Perhaps Mr. Meece was misquoted or misunderstood. It wouldn't be the first time reporters have staked out a political figure; nonetheless, this needs to be investigated and cleared up without delay.

(2) The Washington Kiplinger Letter dated August 28th, 1981 (copy attached) states that .."Reagan will not go to the mat.." for conservative issues like restoring school prayer, HALTING SCHOOL BUSING, allowing tax credits, outlawing abortion....etal.

Here, too, I can only hope Kiplinger's information is askew -- and if so, I hope the Executive Branch will take steps to set him straight.

If, on the other hand, the Kiplinger report does reflect Mr. Reagan's feelings accurately, we can only resign ourselves to the fact that he obtained our votes under false pretenses.

For reasons impossible to understand, FORCED BUSING continues to be lumped with so-called "social issues". As in the Kiplinger letter, we often find reference made to abortion, tax credits, school prayer AND

FORCED BUSING as if they were one, and the same. There is no real connection between FORCED BUSING and any of the real social issues; FORCED BUSING must be separated from the pack and addressed as the individual, nation-wide, devasting problem it truly is. Any type of court ordered racial balancing, be it "voluntary" (as the Justice Department is pushing for) or mandatory, as ordered by a judge is in direct conflict with the spirit and letter of the 1964 Civil Rights Act, and with the Constitution itself.

We, in the St. Louis area intend to fight this injustice by every legal means at our disposal. Even now those county school districts named in Judge Hungate's high-handed order, are gearing up for battle. The State officials continue to plead for hearings to present their case; our County Executive, Mr. Gene McNary, has come out publicly saying that he will assist county districts as much as humanly possible, and is prepared to take the fight all the way to the Supreme Court if necessary.

That sounds just fine! The only problem with this type of action is that TAX MONEY will be used to fight for rights that should be ours to begin with. Yes, the citizens of Missouri are ready to spend whatever it takes to oppose tyrannical dictates; but it is disgraceful to use dwindling tax dollars for such purposes when money is so sorely needed for education itself.

We have waited through several administrations where the president and/or Congress chose to look the other way with regard to our public school situation. Now, with a Congress that's finally listening to the majority, and with a president who SAYS he loathes forced busing, we do have a chance to do something about it. We simply must have more than lip service from President Reagan, though. Words fail to soothe those millions of parents who see their kids bused off to God-knows-where-or-what every day. And mere words do not alter the fact that the Justice Department is aiding and abetting pro-busers right down the line.

This problem must be faced immediately!

I have recently sent another letter to President Reagan -- which, I feel sure, he will never see! Will you please convey these thoughts and concerns to him, along with those of all the others you have undoubtedly received.

We have now reached the 11th hour. The choice is a grave one -- spend money that should go for education on defending ourselves against an omnipotent Federal take-over ---- or simply abandon the public school systems altogether. People from one end of this country to the other are ready to act; Congress will work for us. We need immediate and concrete support from the President as well as relief from "his" Justice Department.

Sincerely,

Ora Mae French

Ora Mae French, Chairman
P.A.C. - NANS of Eastern Missouri

cc: William D'Onofrio, President
NANS
1800 W. 8th St.
Wilmington, DE 19805

THE KIPLINGER WASHINGTON LETTER

Circulated weekly to business clients since 1923—Vol. 58, No. 35

THE KIPLINGER WASHINGTON EDITORS

1729 H St., N.W., Washington, D.C. 20006 Tel: 202-298-6400

Cable Address: Kiplinger Washington D C

Dear Client: Washington, Aug. 28, 1981.

Members of Congress are drifting back to town after a vacation. Congress reconvenes on Sept. 9. Already a consensus is forming on which bills will be taken up and passed...and which will be put off. As usual, more bills will be postponed than will be passed. However...

There are major fights coming on some things Reagan has asked. Democratic leaders are itching for a chance to rough him up... and they've spotted a few issues where they think they can bruise him.

The budget is one. It's still far from settled for fiscal '82. Reagan will demand FURTHER cuts...beyond those already voted... to try to put the brakes on a rapidly growing deficit for next year. Much bigger than he anticipated only weeks ago. (More on this, page 4.)

Social security is another. The revisions proposed by Reagan are generally thought to go too far. The Democrats will tone them down, making sure the public understands their insistence on "moderation."

Abrupt cuts in early-retirement benefits will not be adopted. Minimum benefits won't be wiped out for those now getting them. A budget law provision that would eliminate them will be overturned. Normal retirement age will gradually be increased from 65 to 68. A new formula for cost-of-living raises also will be worked out.

There won't be a second major tax bill this year, only hearings. Reagan used to talk about pushing another bill, but he has backed off. It would aggravate the deficit, so there's no chance of passing it now.

On selling radar planes to Saudi Arabia, he faces a hard fight, but it's one he may be able to win by parliamentary moves in the Senate. The plan must be turned down by both houses...or the sale goes through. The House will vote it down. But a filibuster, run by the Republicans in the Senate, may delay a vote past the deadline, which is October 30.

The farm bill probably will pass after considerable maneuvering. It isn't exactly what Reagan wants, but he will take whatever he gets.

A "conservative" agenda will not pass...restoring school prayer, halting school busing, allowing tuition tax credits, outlawing abortion. Reagan figures that going to the mat over these would hurt other issues.

Voting-rights extension may pass the House...the Senate in 1982. But this is an issue that will split both parties, so a torrid debate.

Patent protection will be stretched out...pre-clearance testing of drugs, etc., by the gov't will not count against 17-year patent life.

Pooling product-liability risks also will be voted...green light for manufacturers and distributors to insure as a group against claims.

Tire-registration law will be changed to help the tire dealers. Burden of registering tires with the makers will be put on tire buyers.

A new law to deal with oil emergencies will pass. Will leave most decisions up to Reagan in any shortage. But NO gasoline rationing.

St. Louis Globe-Democrat Aug. 28, 1981

An Editorial

WHY THE HUNGATE STAMPEDE?

U.S. District Judge William L. Hungate's recent order naming 18 of the 23 school districts in St. Louis County defendants and thereby causing them to come up with a program to include themselves in the St. Louis Board of Education's desegregation busing efforts has a distressing potential.

Americans of all persuasions and color have cherished the right, which they properly believe they have inherited under numerous constitutional guarantees, to determine the methods and means of educating their children. Involuntary busing of selected children without a prior determination that they, their parents or their respective school districts are participating in segregation, and thereby bear a portion of the burden of desegregation, vitiates those privileges in a wanton manner.

The Hungate stampede callously tramples and extinguishes many of these rights and is, at the very least, indifferent to historic principles of American justice.

Scarcely any St. Louisan with a trace of rationality has anything but abhorrence for the inexcusable past practices which more frequently than not denied black children equal educational opportunities. Similarly, few would deny the priority which must be accorded to making equal facilities available to every child, irrespective of race, creed or color.

Just as the repulsive past practices deprived children and parents of their constitutional civil rights, so does the frightening Hungate stampede deprive children and parents of basic civil rights.

Judicial notice has been a traditional facet of American justice, from the trial courts through the United States Supreme Court, as it should have been and should be. By extending this principle to predetermine that the St. Louis County districts are guilty now of segregation and thus responsible for measures to resolve the issue, without hearings to determine their guilt, Hungate is irresponsibly arbitrary and capricious.

Whether residents of St. Louis and others agree or not, Judge James H. Meredith spent years of tedious effort hearing evidence before the 8th U.S. Circuit Court of Appeals decided that the St. Louis Board of Education had not in fact properly effected desegregation in its system. The Hungate stampede is even more odious in the face of Judge Meredith's judicious consideration of the issues.

Innumerable public opinion surveys over the past few years reveal, indisputably, that Americans understand and favor desegregation of our nation's public schools to provide quality education for all children. The same surveys disclose a majority opposition to busing as a means to this end. Hungate's blunders serve him well, curiously, when it comes to judicial notice of this public attitude.

Perhaps, just perhaps, the best service Hungate could render St. Louis Countians would be for him to continue in his blind way and order conditions which would send this issue to the United States Supreme Court. There it could be determined whether parents continue to have the right to decide what schools their children will attend or whether their children will attend schools selected by a court.

Justice defaulting Reagan mandate?

By M. STANTON EVANS

WASHINGTON — The Reagan administration is a study in political contrasts, with some alarming implications for the future.

At the highest levels of official policy, the performance of the administration receives, and merits, rave reviews. Tax and budget progress and the handling of the air controllers strike, to pick the obvious examples, bear the firm imprint of Ronald Reagan, placed there by the powerful emphasis of the president himself. When Reagan personally takes an interest in an issue, it generally gets handled in keeping with his stated principles and pledges, to the plaudits of a grateful nation.

Get below this exalted level, however, and things look decidedly different. For reasons yet to be fully explored, the appointments of this administration frequently don't match up, in philosophical outlook or emotional intensity, with the policy statements of the president. The result is a lack of follow-through, a blunting of initiative or, in certain instances, a flat reversal of what had been expected.

The apparent theory behind this setup is that policy and management can somehow be separated; that ideological content can be imported by the president and/or a group of policy counselors, and that programs thus decided on can be carried out by a group of managers/administrators selected chiefly for governmental or corporate expertise, rather than for philosophical commitment.

IN SOME INSTANCES this approach may work, if the president himself is actively involved and his commitment is well known. In other instances, it will not work, particularly when the president is not involved on a daily basis and the issue is not in the forefront of national debate. In such cases, personnel controls policy, rather than the other way around.

Exhibit A in this respect is the Reagan Justice Department, which to most intents and purposes might just as well be the Carter Justice Department. When the president appointed his personal attorney, William French Smith, to be attorney general, hopes were high that a substantial change of course might be forthcoming in this department, which had been a cutting edge of liberal social policies under Carter. To date, however, almost no such changes have been adopted.

The mix of personnel at Justice under Smith has ranged from "pragmatic"/moderate Republicans to Carter holdovers, with a handful of Reaganite conservatives sprinkled around in subordinate positions. In these appointments, there has been no evidence of determination to alter fundamental policy — to change the mind-set of the Carter years that dictated legal moves in favor of federal social engineering.

ACCORDINGLY, policy initiatives issuing from the Reagan Justice Department look remarkably like those stemming from its predecessor. On numerous "social" issues, including a busing plan in Chicago, Virginia redistricting, the Voting Rights Act, and "affirmative action" (quotas) in federal hiring, the Reagan Justice Department has come down on the liberal side of the question. It has done the same on constitutional issues such as the legislative veto and the jurisdiction of the federal courts, and is generally aligned in favor of liberal policies in intragovernmental squabbling.

It was in the bowels of this Justice Department that research was done on the appointment of Sandra Day O'Connor to the U.S. Supreme Court — research that, unsurprisingly, skimmed lightly over questions concerning her position on abortion and the Equal Rights Amendment. In all these instances, it now seems clear, the nature of personnel at Justice has strongly influenced the nature of policy and the advice that is flowing upward to the president.

The failure of the new regime to get the Justice Department under control is being justified, in part, on the grounds that the agency not be "politicized." The effect of this determination, of course, is to keep it "politicized" in the Jimmy Carter manner, and to default a major portion of the Reagan mandate.

POST 8/31/81

Aides Reported Saying Reagan Fiddles While The Issues Burn

NEW YORK (UPI) — Some of President Ronald Reagan's aides reportedly say his unwillingness to devote enough time to his job has led to several embarrassing confrontations.

"There are times when you really need him to do some work, and all he wants to do is tell stories about his movie days," one aide complained.

Quoting unidentified White House aides, Newsweek magazine said Sunday that the president spends only two or three hours a day working.

Aides who think the president should be more in touch with what's happening in the world said that Reagan spends little time in the Oval Office, never arriving before 8:45 a.m. and rarely staying beyond 6 p.m. He takes Wednesday afternoons off.

One White House assistant said Reagan spends at most "two or three hours a day on real work."

Newsweek said this lack of involvement in the affairs of state has resulted in several embarrassments. At a meeting of big city mayors, Reagan reportedly greeted his secretary of Housing and Urban Development, Samuel R. Pierce, as "Mr. Mayor."

When Rep. Charles Wilson, D-Texas, asked him about a synthetic fuels program, Reagan drew a blank. "He didn't even know what I was talking about," Wilson told the magazine.

The president also was unable to answer a reporter's question about a pending fishing treaty with Canada on the same day the White House was telling the Senate that the treaty should be withdrawn and renegotiated, the magazine said.

White House aides had no immediate comment on the report.

Reagan has been in California for nearly a month, spending most of his time at his mountaintop ranch, riding horses, clearing underbrush and chopping wood.

White House deputy press secretary Larry Speakes said the president enjoyed his vacation. He quoted Reagan as saying, "I hate to see it come to an end. But there is a lot of work ahead."

Reagan is scheduled to return to Washington on Thursday afternoon.

NANS of EASTERN MISSOURI

AFFILIATE OF

NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

5815 Michigan Ave.
St. Louis, MO 63111

August 25, 1981

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NO-BUS
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Florissant, MO 63031

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P.O. Box 10753
St. Louis, MO 63129

STCCANS
P.O. Box 1265
St. Charles, MO 63301

WCANS
P.O. Box 814
Manchester, MO 63011

Mr. Morton Blackwell
c/o The White House; Public Liaison Office
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20501

Dear Mr. Blackwell:

Attached is a copy of the "St. Louis Globe Democrat" front page dated today, August 25th. Judge Hungate's mandatory "forced busing" order came as no surprise. We were expecting it eventually. Now we, in Missouri, face the grim reality of costly litigation and the fact that -- should we fail -- public schools as we know them will be lost forever. Even now our people are making tentative plans to establish enough private schools to serve our children IF the Reagan administration abandons us to the courts.

I wrote to you August 19th asking that you deliver our message of deep concern to President Reagan and help arrange a meeting between the President and NANS officials. In view of current events, we feel it is extremely urgent that such a meeting be arranged just as soon as humanly possible. All along St. Louis has been regarded as a "landmark" case. If WE fail to oppose forced busing here -- if we permit the social engineers to "win", the entire nation is lost.

A meeting with the president will permit us to learn exactly what this administration intends to do. If the president sanctions the pro-busing acts of his various departments, we must know this. If on the other hand President Reagan is unaware that forced busing is being nurtured and promoted by the Justice Department, he must also know that we who voted for him cannot countenance such actions. We expect -- no, we DEMAND -- that our voice be heard.

Please advise NANS president, Mr. William D'Cnofrio, when this vital meeting will take place. We are counting on you, Mr. Blackwell. Don't let us down!!

Sincerely,

Ora Mae French

Ora Mae French, Chairman
P.A.C. - NANS of Eastern Missouri

cc: Wm. D'Cnofrio, Pres.
NANS
1800 W. 8th St.
Wilmington, DE 19805

St. Louis Globe-Democrat

129 Years of Public Service / Founded July 1, 1852

Haig Draws The Line

Editorial on Page 12A

C Tuesday, August 25, 1981 — 3 Sections — 38 Pages

20¢

Judge Orders Draft of Plan For Mandatory Integration

By WILLIAM POE
and ARTHUR J. THOMASON
Globe-Democrat Staff Writers

Citing the failure of a proposal for voluntary interdistrict desegregation, U.S. District Judge William L. Hungate ordered development of a mandatory plan Monday to include 18 of 23 school districts in St. Louis County and

• *Legal fight expected*
• *Milestone, Foote says*
Page 8A

involving about 175,000 students in both the city and county.

Hungate set a Feb. 1 deadline for submission of the plan.

In his order late Monday, Hungate added St. Louis County and 18 county school districts as formal defendants in the 9½ year city school desegregation case.

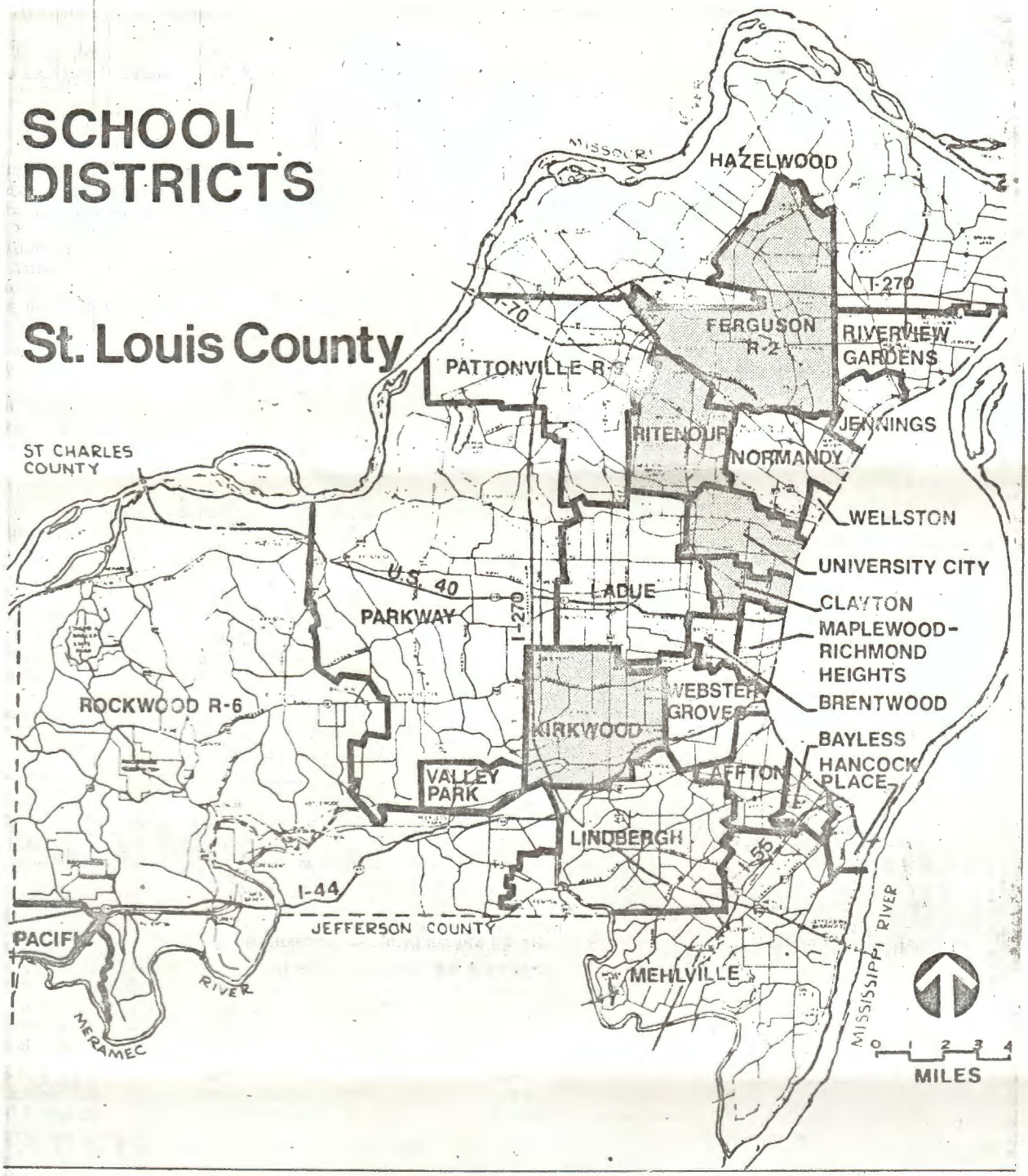
He stayed but did not dismiss motions seeking to add St. Charles County, Jefferson County and the school districts in St. Charles and Jefferson counties to the case and said the suburban districts that agreed to participate in the voluntary plan — Clayton, Kirkwood, Ritenour and University City — would not now be added as formal defendants.

IN A SEPARATE order, Hungate directed those districts and the St. Louis Board of Education to implement the voluntary plan as a "pilot project." He said the four suburban districts would not be added as defendants so long as the districts act "in good faith to achieve a level of integration satisfactory to the court."

Hungate also said the Ferguson-Florissant School District, which was the subject of an earlier desegregation case, was released from the jurisdiction of the federal court last year, "which means that it was found to be in compliance with the court's desegregation orders. There is substantial likelihood that involvement in this lawsuit might hamper the ongoing efforts of the Ferguson-Florissant School District to eliminate any remaining vestiges of segregation."

THE JUDGE STAYED motions

(cont.)



Shaded areas show St. Louis County districts that judge said would not be added now as defendants.

seeking to add all five St. Charles County school districts and all 11 Jefferson County districts to the case. Hungate also temporarily delayed motions seeking to add as defendants the Missouri Housing Development Commission, the Housing Authority of the city of St. Louis, and the Land Clearance for Redevelopment Authority of St. Louis County.

Hungate said he was staying those motions pending evidentiary hearings.

The judge ordered the federal government, the state, and the city school board "to develop and submit to the court by February 1, 1982, a suggested plan of interdistrict school desegregation necessary to eradicate the remaining vestiges of government-imposed school segregation in the city of St. Louis and St. Louis County."

THE FIRST HEARING on the suggested plan was set by Hungate for 10 a.m. March 1. He also appointed local attorney, Shulamith Simon, to "represent the public interest" in the development of a mandatory plan.

Hungate said the level of participation in the voluntary plan was insufficient to desegregate the schools.

"In light of the overwhelming rejection of the 12(a) voluntary plan, the court is impelled to begin proceedings on a mandatory interdistrict plan" originally ordered for submission last year by Senior U.S. District Judge James H. Meredith.

A principal aim of the voluntary plan handed down by Hungate July 2 was to encourage white suburban students to transfer voluntarily to the 79 percent black city school system and to persuade predominantly white districts to accept black city students. Hungate gave districts until Aug. 6 to decide whether they would participate.

MANY PARTIES involved in the desegregation controversy said the judge's order was inevitable in light of the collapse of the voluntary plan. Several people said Hungate's order could spur legal challenges.

"It's the thing that had to come," said city school board member Raymond F. Decker.

(Cont.)

William L. Hungate
. . . "impelled"

"JUDGE HUNGATE HAS ordered the Justice Department, the state of Missouri and the city Board of Education to formulate a plan to establish forced busing to be ready to start in spring 1982," Taylor said. "In the same order, he has named several school districts that will now stand trial before him. It is not the American way for a judge to specify punishment and then hold a trial."

Jeanne Hacker, chairman of the anti-busing committee of the Association of the Concerned Citizens of Affton, said the group will fight the order.

"We will lobby; we will write to our congressmen; we will do whatever is necessary in a peaceful, law-abiding manner to see if we can stall this off."

In a related development Monday night, the St. Louis Board of Education allocated $2.6 million to finance the school system's internal desegregation program for the upcoming school year.

HUNGATE ADDED THE following St. Louis County school districts as defendants: Affton, Bayless, Brentwood, Hancock Place, Hazelwood, Jennings, Ladue, Lindbergh, Maplewood-Richmond Heights, Mehlville, Normandy, Parkway, Pattonville, Riverview Gardens, Rockwood, Valley Park, Webster Groves, and Wellston.

Those St. Louis County districts excluded from immediate inclusion as defendants were Clayton, Kirkwood, Ritenour, University City and Ferguson-Florissant.

Also excluded were the St. Charles County districts of Fort Zumwalt, St. Charles County R-5, Wentzville R-4, St. Charles, and Francis Howell R-3; and the Jefferson County districts of Dunklin R-5, Hillsboro R-3, Fox C-6, Festus R-6, Crystal City, De Soto, Windsor C-1, Grandview R-3, Jefferson County R-7, Northwest Jefferson County R-1 and Sunrise R-9.

"This is what we've been asking for," said city school board President Marjorie M. Weir. "We have always felt that they (the county districts) were part of the metropolitan area and should be part of a metropolitan solution."

Gayle Taylor, local coordinator for six area neighborhood anti-busing organizations, called Hungate's order "a plan for forced busing" and said suburban districts had never been found guilty of fostering segregated school conditions.

Action could be a milestone, Foote says

By BILL STOLBERG
Globe-Democrat Staff Writer

What the judge did not order Monday in the St. Louis desegregation case could be more important than what he did, according to Edward T. "Tad" Foote, author of a voluntary city-county plan here and nationally known desegregation expert.

Despite U.S. District Judge William L. Hungate's order Monday for development of a mandatory desegregation plan involving 18 St. Louis County school districts, the exclusion of four that earlier agreed to join a voluntary plan could become a "milestone in American constitutional law," Foote said in a telephone interview from his Miami home.

Foote, who drafted a voluntary interdistrict plan for Hungate, said the "the St. Louis desegregation case could well become one of those landmark decisions which signifies a new way of approaching old problems . . . a milestone in American constitutional law."

HUNGATE'S ORDER did not include Clayton, Kirkwood, University City and Ritenour — the four county districts that have agreed to participate in a voluntary plan. That exclusion and the possibility that at least part of St. Louis desegregation will be carried out voluntarily makes St. Louis unique, according to Foote.

"The implications are very important," he said. "If it is possible to put aside the litigation in the name of those children, to cooperate and compromise without forcing people to do what they don't want to do, then St. Louis is a pioneer, much more of a pioneer than it thinks it is.

"There are many thousands of people in those four districts, many thousands of human beings. What I believe the judge has done — if I understand the explanation — is to draw a distinction (between districts that are willing to volunteer and those that are not).

"IF THE PLAN was to be mandatory throughout the area, there would be nothing new about it," he said.

"Those of us who have participated in the nine-year case have been aware for many months that the case in St. Louis would be special in the history of constitutional law, because of Judge Meredith's 12(a) (the provision for voluntary participation). Without that it is unlikely that St. Louis would try do what no other big city could."

Foote said he assumes the situation "is not static," for the 18 districts under the mandatory plan, and that "if a district decided to change its position it would be welcomed."

Foote, former chairman of the court-appointed Desegregation Monitoring and Advisory Committee and former dean of Washington University Law School, left St. Louis in June to become president of the University of Miami in Florida. Informed of Hungate's action by phone Monday night, Foote was reluctant to discuss the particulars of the judge's decision.

HE ASKED THAT his personal comments be taken in a "general sense. Because I am not on the scene and have not read the decision, I cannot characterize the judge's decision," he said.

Foote said that he was pleased personally that the door for a cooperative desegregation effort was left open by Hungate's move. The fact that some voluntary involvement was allowed could benefit the students in the St. Louis area.

"I have believed in the past and still believe that a cooperative settlement would be to the benefit of all involved, especially the children of the St. Louis area," Foote said.

Districts, parents predict bitter fight on mandatory plan

By ALLEN LEVY
and SANDRA BOWER
Globe-Democrat Staff Writers

If the spokesmen for several suburban school districts and parents groups surveyed by The Globe-Democrat are right, U.S. District Judge William L. Hungate's latest desegregation order will spur a spate of legal challenges and political battles.

"I'll fight it to my grave," said Ronald L. Earll, member of the Mehlville R-9 school board. "My kids have a right to attend a school down the street. It's not a racial issue at all."

Reacting to Hungate's order for preparation of a mandatory desegregation plan involving 18 of St. Louis County's 23 school districts, William Eggers, a member of the Parkway school board, said, "Our response to the voluntary plan was essentially that we didn't desire to participate because we had not, we believed, done anything to be part of the suit."

"I THINK THAT essentially will be our same position legally (now) and we will have our attorneys defend that," he added. "We've done nothing wrong and essentially are not guilty."

Robert Bauer, president of the Affton school board, said, "Just because I'm being sued does not mean I'm wrong."

He added that the board probably would fight the order.

And James E. Arnac, a Hazelwood school board member, said, "We're satisfied with our school system the way it is." He predicted the board would fight the order.

OF THE 18 DEFENDANT districts, only Wellston seemed pleased. "Whatever the judge wants, it's all right with me," said Beulah Smothers, a board member. "If it would help the community, I'm for it — and it probably will (help)."

Wellston, which has fewer than 10 white students in all its schools, opposed the voluntary plan only because it feared black students would leave Wellston and white students would not replace them, leaving the school district with fewer students and therefore less state aid, she said.

Under a mandatory plan, "white parents would have to send their children (to Wellston)," Mrs. Smothers added. "If he (Hungate) said it's got to be done, then other children would have to come here and we wouldn't lose any money," she said.

AT LEAST ONE GROUP fighting mandatory desegregation was disappointed that school districts in St. Charles and Jefferson counties were not included in Hungate's order.

"My initial reaction is, first of all, a bit of surpise that he (Hungate) didn't include Jefferson County and St. Charles County," said Gayle Taylor, a spokesman for six neighborhood groups opposed to busing.

The groups Taylor represents are the Association of Concerned Citizens of Affton, the Association of Neighborhood Schools of Jefferson County, the South County Association of Neighborhood Schools, the St. Charles County Association of Neighborhood Schools, No-Bus and West County Association for Neighborhood Schools in the Parkway area.

HOWEVER, SEVERAL people active in desegregation were pleased that the judge left out some districts, especially the four that agreed to participate under certain conditions in the voluntary plan.

"I'm so glad the volunteers were left out," said Ann Carter Stith, vice chairman of the Desegregation Monitoring and Advisory Committee, which met Monday night. "I would hope that the others will be given further opportunity to volunteer. I've always believed that a voluntary plan could work here.

"It is possible that other districts might want to join the voluntary plan now," added Joseph W.B. Clark, chairman of the monitoring committee.

The voluntary plan was mentioned by a Pattonville school board member. "I would have hoped that Judge Hungate would have modified the original voluntary plan to meet the objections of all the school districts, including the ones that volunteered," said Robert Druggmond.

"I THINK MORE school districts would have been interested in the voluntary plan with modifications," such as immunity from prosecution, he said.

Several persons complained that Hungate included school districts that had not practiced segregation.

"I must say we've got a unique situation, because this is the first time in the country that parents have banded together to stop forced busing before it started. We feel that our efforts have paid off in delaying busing for the '80-81 school year, which was one of our intentions," Taylor said.

"It's ludicrous for the judge to order the federal government and the state and the city board to begin formulating a plan for forced busing when none of these districts have ever been found guilty. And that is not the Amrican system. You and I would want a trial before they started in with penalties," such as possible court-ordered busing, Taylor said.

STEPHEN FOLLE, A Riverview Gardens board member, said, "I don't feel we've done anything to cause the desegregation problems in the city or add to them. We've got a population in our city that's 38 percent black already and I don't see how we could help them (St. Louis)."

Earll, of the Mehlville school board, said "We're not guilty. Our school district has never participated in segregation."

Representatives of several school boards said they could not comment on Hungate's order but thought their districts would fight it.

"Our (position) is all in the hands of the (school board) lawyer," said Garlin H. Kellison, a Rockwood school board member. "I just know the parents in our district are all against it, so we (school board members) are all against it."

SIMILARLY, THOMAS Hennenhoefer of the Pattonville school board said he would have to "wait and see what happens." However, he added, "if we in fact have been named (as parties to the suit) . . . chances are (the board's next action) would involve at least a study of opposing it."

Representatives for Bayless, Brentwood, Jennings, Lindbergh, Maplewood-Richmond Heights, Valley Park, Webster Groves, Normandy and Hancock Place refused to comment.

Ladue school Superintendent Dr. Charles D. McKenna said his board had supported the state's previous appeal of being named as a defendant. That position would probably be reflected in the board's reaction to the Hungate order, he said.

August 22, 1981

Dear Mr. Morton Blackwell,

When is busing the school children going to be stopped? Hope it is soon. The children could be using that time for studying. What do you think.

Thank you,

Etta Chilcutt
4607-31st
Lubbock, Texas
79410

NANS of EASTERN MISSOURI

AFFILIATE OF

NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

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August 19, 1981

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Mr. Morton Blackwell
c/o The White House; Public Liaison Office
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20501

Dear Mr. Blackwell:

On June 3, 1981 a small group of NANS representatives met with you at the White House. You assured us that the Executive Branch would live up to campaign promises with regard to ending "forced busing", but indicated that legislation must initiate in Congress. In the meantime, the Reagan administration would do nothing to cause further expansion of forced busing.

Mr. Blackwell, hundreds of thousands of people voted for Mr. Reagan on the basis of his anti-busing promises. At this point, those people are deeply disappointed in the way the Reagan administration is behaving.

Countless letters from all over the country have been sent to President Reagan protesting the way the "Justice" Department, under his administration, continues to pursue forced busing. We are given to understand that letters to the president are funneled to the JUSTICE DEPARTMENT. If that's true, he may never have seen even one of them.

It is one thing to receive assurances that "the Executive Branch" will maintain a hands-off policy -- but it appears that President Reagan must take decisive steps, soon, to straighten out his Justice Department. For all practical purposes, William French Smith, etal, are operating exactly as they did when Jimmy Carter was in the White House. We did not vote for Jimmy Carter. We elected President Reagan because we honestly believed he would do everything in his power to end forced racial balancing. Has our trust been betrayed?

It seems imperative now that NANS officials be granted a personal interview with the President. Cur mail doesn't reach him apparently. When members of the NAACP requested an audience with the president, they were permitted to meet him and present their views. It

(cont.)

is, therefore, expected that the same courtesy would be extended to those of us who represent the vast majority of American citizens.

I am enclosing a few recent articles which describe precisely what our complaint is. The Justice Department consistently denies appeals made by Missouri's Attorney General, and appears to go out of its way to help the small pro-busing faction. These matters must not be permitted to continue. We feel that the president should be made completely aware of what "his" justice department is doing, and also of how his constituents regard these acts.

We are frustrated; we are angry; and we most definitely feel betrayed. On behalf of many thousands of NANS members here in Missouri, I beg you to carry our message to the president; and if at all possible, intercede for us by arranging a personal interview.

The president has a great many serious problems to face. We are well aware of that. However, nothing could be more urgent than the future and welfare of our nation's children.

Please do anything you possibly can. If you have suggestions which we might follow, we will greatly appreciate hearing from you. In any event, we would like to know exactly what will be done by President Reagan to bring the Justice Department into line with current policies.

Sincerely,

Ora Mae French

Ora Mae French, Chairman
P.A.C. - NANS of Eastern Missouri

cc: William D'Cnofrio, President
NANS
1800 W. 8th St.
Wilmington, DE 19805

The ST. LOUIS GLOBE-DEMOCRAT August 18, 1981

U.S. Opposes State Integration Appeal

8/18/81

By CHARLES E. BURGESS
and ARTHUR J. THOMASON
Globe-Democrat Staff Writers

Meanwhile, St. Louis school board tells judge there is no reason to delay moving toward a mandatory desegregation plan.

The Reagan administration, rejecting pleas from Missouri officials, urged the U.S. Supreme Court not to hear an appeal of court-ordered desegregation of St. Louis schools.

"St. Louis' schools were segregated pursuant to Missouri law," the Justice Department said in a brief filed with the court Monday and reported by the Associated Press.

"The state has been ordered to assist in remedying that constitutional violation," the brief said. "The decisions (of the lower courts) were squarely governed by decisions of this (U.S. Supreme) court. Accordingly, the petition should be denied."

Meanwhile, St. Louis school board attorneys argued in their brief Monday that a decision by the U.S. Supreme Court to review the desegregation plan "might seriously disrupt the educational program of the city schools."

THE BOARD URGED the Supreme Court to reject challenges by Missouri Attorney General John D. Ashcroft to financing and interdistrict planning requirements in the plan.

Granting the request for a hearing "would simply resurrect and exacerbate all the doubts and concerns that the community long since put behind it in uniting to make the court-ordered plan work for the city's schoolchildren," the school board's brief said.

Lower court rulings that the state must pay half the costs of the desegregation plan and take a role in interdistrict planning were proper because the state was found to be a "primary constitutional violator" in the case, the brief said.

ASHCROFT TALKED with Justice Department officials last week in an effort to persuade them to change their position on the case. His efforts apparently failed.

Under lower court rulings, the state has been ordered to pay half the costs of the busing plan for St. Louis schools, a levy which amounted to $11 million during the 1980-81 school year.

Ashcroft, in his meeting with Assistant U.S. Attorney General William Bradford Reynolds of the Justice Department's civil rights division, had asked specifically that the administration review the question of the state's obligation to help pay for the desegregation plan.

The administration's decision is "gratifying ... and comforting," said Paul B. Rava, an attorney with the city school board. "The cloud is gone over the outcome because their decision is influential. ... The decision fortifies our position."

BUT HE ADDED, "It's never final until the court decides."

Speaking to the Justice Department's statement that decisions of the lower courts "were squarely governed" by decisions of the Supreme Court, Larry R. Marshall, state assistant attorney general, said, "We don't believe they were 'squarely governed' — they exceeded their grounds."

Ashcroft was unavailable for comment but Marshall said the Reagan administration's action "is no great surprise. They have been an adversary to the state from the beginning — they have consistently opposed our position."

THE SUPREME COURT is to decide during its autumn term, which begins in October, whether to hear the appeal in the St. Louis case.

Meanwhile, in St. Louis Monday, school board attorneys told a federal judge that the response by suburban school districts to a voluntary interdistrict desegregation proposal has been so unenthusiastic that there is no reason to delay moving toward a mandatory plan.

Rava acknowledged that the board's move is an attempt to interest more districts in participating.

Participation by only four of 39 school districts in three suburban counties "cannot serve as a basis for staying the proposed interdistrict litigation," board attorneys urged U.S. District Judge William L. Hungate.

THE ATTORNEYS argued that Hungate, who had proposed the voluntary plan, should:

— Refuse any "blanket" delay on litigation, even for districts that have agreed conditionally to cooperate in the voluntary plan. A limited stay could be allowed for a year for some participating districts, the attorneys said.

— Order the state to pay transportation costs and supplementary state aid, according to the voluntary plan's formula, for all suburban students who individually are seeking to enter the St. Louis system or other districts where their race is a minority.

— Permit the school board and National Association for the Advancement of Colored People to file claims, pending since January, under which districts in St. Louis, St. Charles and Jefferson counties would become formal defendants in the case.

The chief condition set by districts tentatively agreeing to participate in the plan was that they be protected from litigation over mandatory interdistrict busing. The districts are Clayton, Kirkwood, Ritenour and University City.

(cont.)

"THE COURT PLAN would have to include a stay of litigation in some form or the districts I represent would not be interested," said attorney Bertram W. Tremayne Jr., who represents the Kirkwood and University City districts.

"We can have a voluntary plan or we can litigate. We can't do both at the same time," said John Gianoulakis, the Ritenour district's attorney.

The board suggests the state pay all costs for voluntarily transferring students even if other portions of the plan are shelved.

Under the plan's formula, the state also would pay half of normal state aid to the home district of each transfer student. The receiving district would get $1,250 for each non-resident student it accepts, plus half the difference between $1,250 and the actual average cost of educating a student.

"IT IS TYPICAL of the St. Louis board's attempts to get money," Marshall said. "Now that they don't really have any participating districts, they want the state to expend money anyway."

Of 5,903 applicants for St. Louis magnet schools this fall, about 300 are suburban students. Their home districts include 24 that have turned down the voluntary plan and the four tentative participants.

Hungate's plan had specified that "fiscal incentives" would go only to districts that agreed to participate but the board proposes making them available to non-participating districts.

The NAACP late Monday filed arguments supporting those of the city school board. Those elements of the voluntary plan concerning opening new city magnet schools, the fiscal incentives and the transportation costs should "be permitted to go forward," it said.

BECAUSE OF THE di appointing reaction to the voluntary plan, no stay on mandatory litigation steps should be granted, it added.

In a separate filing, the St. Louis board asked authorization to change attendance areas to reassign 100 freshmen to Vashon High, relieving probable overcrowding at Northwest High.

Also sought, at elementary level, was permission to reassign 26 Cook Branch School students to Hamilton Branch 2, and 40 Cook Branch students to Hempstead, also because of potential overcrowding.

The schools involved in the request are expected to have virtually all-black enrollments.

New legal action on integration looms

The final rejection of the voluntary desegregation plan came Thursday from Parkway, largest of the school districts.

8-7-81

By Charles E. Burgess
Globe-Democrat Staff Writer

A motion seeking to resume legal steps toward mandatory city-suburban school desegregation might be filed by early next week, an attorney for a black parent group said Thursday.

"All evidence points to the conclusion that efforts to have a voluntary plan have failed," said William P. Russell, attorney for Concerned Parents of North St. Louis, original plaintiff in the 9½-year-long desegregation case.

Proponents of the plan said responses by Thursday's deadline for suburban districts to say whether they would participate in a voluntary desegregation plan were at least a beginning.

Four districts among 39 in St. Louis, St. Charles and Jefferson counties that had been asked by U.S. District Judge William L. Hungate to participate agreed to do so conditionally. There were 33 rejections, and two said they would decide after the U.S. Supreme Court rules on a state challenge to the interdistrict plan.

The final rejection came Thursday from Parkway, largest of the group with about 22,700 students — more than 98 percent of them white.

A principal aim of the plan handed down by Hungate July 2 was to encourage white suburban students to transfer voluntarily to the 79 percent-black city system and to persuade predominantly white districts to accept black city students.

Russell noted that only three of the tentative participants — Clayton, Kirkwood and Ritenour — could approve city-surburban exchanges. The fourth tenative participant, University City, is predominantly black, and so could only arrange exchanges with predominantly white surburban districts.

With the current low level of acceptance, "I don't think it would be possible that there would be enough tranfers to be noticeable," Russell said.

Hungate on June 23 denied the parent group's motion to discontinue efforts for a voluntary plan. The group said the judge should proceed with consideration of whether suburban districts should be named formal defendants in the case and order resumption of a feasibility study on mandatory interdistrict desegregation.

Russell said he would refile the motion as soon as it is clear that the judge intends to grant no further time for responses on the voluntary plan.

Susan Uchitelle, interim director of the coordinating committee for the voluntary plan, said she felt that explanations of some districts for their refusals, including Pattonville's late Wednesday, indicate considerable interest remains in participation.

St. Louis school board attorney Paul B. Rava said, "It's in the hands of the judge, but it's a step forward from zero to four."

Meanwhile, the Kirkwood district, one of the four conditional participants, filed a request with Hungate for "relief from further litigation" aimed at mandatory desegregation.

This protection should be assured for all participating districts, Kirkwood attorney Bertram W. Tremayne Jr. told the judge.

Missouri Assistant Attorney General Larry R. Marshall noted that all the conditional acceptances contain a similar proviso.

"The state has said all along that it will be difficult to get districts to participate when there's a threat of mandatory action," he said.

Richard B. Fields, attorney for the National Association for the Advancemnt of Colored People, said only, "Our motion is before the judge, and all we can do is wait for him to act on it." The motions to make the suburban districts formal defendants was filed in January by the NAACP and city school board.

In a separate matter, the first challenge was filed to a voluntary vocational education student exchange plan between the St. Louis system and the Special School District of St. Louis County.

Anthony J. Sestric, attorney for the anti-busing group Concerned Parents for Neighborhood Schools, filed notice that the agreement, approved June 11 by Hungate, would be appealed. During hearings, Sestric contended the plan was unfair to white city students who would not be allowed to transfer to Special District vocational high schools.

Parkway board President William C. Eggers, in a six-page letter to Hungate on reasons for the rejection of the voluntary plan for regular districts, said the board would like an opportunity to respond to any modifications Hungate makes.

Eggers said the plan should contain assurances of protection for participating districts against litigation, and safeguards for local autonomy.

The Clayton board, deciding to participate after a three-hour closed session late Wednesday, stressed that its willingness "to work toward the implementation of the goals" of the voluntary plan was contingent on assurance of similar protection.

"Commendably, the court's plan provides for the inclusion of additional school systems in future years. This prospect warrants proceeding on a voluntary basis at this time," Clayton board attorney George Bude told Hungate.

The Special School District asked Hungate to clarify whether it is considered liable for any action for non-participation in the voluntary plan for regular districts.

Attorney Burton M. Greenberg pointed out that the agreement on vocational programs already is in effect. He asked for an order excluding the district from the other plan, or a hearing if there is any "lingering doubt" on the question.

AREA (MAP ON NEXT PAGE)

Shaded areas show school districts that have refused to participate in the voluntary plan. No shading indicates conditional approval, and cross hatching shows the districts awaiting U.S. Supreme Court action on the case.

State's Ability To Pay Desegregation Costs Questioned

By Robert Goodrich
Post-Dispatch Jefferson City Bureau

JEFFERSON CITY — State officials question whether the state can afford to help finance St. Louis-area school desegregation as a federal court has ordered.

"We are very hard pressed," State Treasurer Mel Carnahan said Tuesday. He said he does not know how the state will respond to a specific federal court order to pay the bill for more desegregation costs.

"I'm curious about that personally," he said. "Our projected cash flows are very tight for the next few months. Our reserve is low, and our expenditures come almost before our income.

"The idea that people can think up solutions to things, and just send the bill over to the state is strictly short-range, because the revenues are just not going to be there for that purpose."

Last year U.S. District Judge James H. Meredith ordered the state to pay $8.5 million, half the cost of desegregation in St. Louis. Although Attorney General John D. Ashcroft told the state treasurer to write the check, he has gone to the U.S. Supreme Court in an effort to overturn Meredith's order. No decision is expected until at least next spring — if the Supreme Court takes the case.

This year the state expects a similar order — and a bill for about $11 million.

And a plan for voluntary metropolitan desegregation issued by U.S. District Judge William L. Hungate calls for the state to pay much of the cost.

A school district receiving a transfer student would get $1,250 from the state plus 50 percent of the difference between $1,250 and the district's average cost for each pupil. A district losing a transfer student still would receive half of its state aid for that pupil.

In addition, Hungate last Friday ordered the St. Louis School Board and the state to share equally in related costs, including those of the program's court-appointed interim director, its coordinating committee and other expenses.

Tomorrow is the deadline for the 40 eligible school districts in St. Louis and St. Louis, St. Charles and Jefferson counties to report whether they will participate.

No money has been included in the state budget to pay either voluntary or mandatory desegregation costs.

Both House Budget Chairman Marvin E. Proffer, D-Jackson, and Senate Appropriations Chairman Edwin L. Dirck, D-St. Ann, have made it clear that they do not intend to include such an appropriation in the future.

The Legislature refused to include any mention of such funds in the budget so that there could be no legal recognition of the issue by the state or documented evidence of how the state might be able to afford the cost, they said. Any such mention might weaken Ashcroft's appeal to the Supreme Court, they said.

The $8.5 million came from the state's operating cash reserve, which Dirck last month estimated to contain about $80 million.

But Carnahan said the reserve has now sunk to a dangerous level — below $60 million — with bills from the fiscal year that ended June 30 still arriving. A year ago, the state started its fiscal year with a $230 million surplus, and a year before that, the surplus was $287 million.

There has long been disagreement over how much is needed in the operating cash reserve to allow the state to pay its monthly bills. "Safety would dictate $85 million to $100 million minimum," Carnahan said.

Commissioner of Administration Stephen C. Bradford said a shrinking cash reserve requires careful management. "We're watching our cash-flow situation very closely, almost on a daily basis," he said. "Mel is correct that our cash position is below $60 million."

Bradford and Carnahan agreed that an order from someone like a federal judge to make a payment for which there is no appropriation raises serious constitutional questions.

Bradford said it forces the extraction of cash from the reserve or an administrative decision that some state program will have to suffer.

Some state officials are talking about asking Hungate to include in any order for payments by the state instructions on what fund to take the money from.

Assistant Attorney General Larry Marshall, who is handling the state's appeal of previous desegregation payments, said additional orders for state payment would automatically be covered by his appeal.

NANS of EASTERN MISSOURI file

AFFILIATE OF

NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

August 19,1981

ACCA
P.O. Box 4341
St. Louis, MO 63123

ANSJC
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Arnold, MO 63010

NO-BUS
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Florissant, MO 63031

SCANS
P.O. Box 10753
St. Louis, MO 63129

STCCANS
P.O. Box 1265
St. Charles, MO 63301

WCANS
P.O. Box 814
Manchester, MO 63011

Mr. Morton Blackwell
Office of Public Liason
Room 191, Old Executive Office Bldg.
White House
Washington, D.C. 20500

Mr. Blackwell:

This letter confirms and follows my long distance telephone conversation with Kathy Christianson yesterday. We of N.A.N.S. are very upset by the way in which the Justice Department is being allowed to interfere in the St. Louis area Forced Busing situation. We are led to conclude one of two things:

1. the President is ineffective in controlling his people

or

2. he is not interested in Stopping Forced Busing.

Attached or copies of two recent news articles appearing in St. Louis papers. On August 14th we read that President Reagan is personally interested in our case. But, on August 18th it was reported that "The Reagan administration... urged the U.S.Supreme Court not to hear an appeal of court-ordered desegregation of St. Louis schools.

Note that it was William Bradford Reynolds, of the Justice Department, who made that statement, but it was the Reagan administration that is credited with the action. When the cat is away (in California) the mice (in Washington) will play.

We implore you to convey to the president our fears that he and the Republican Party are not interested in keeping their family oriented promises that demand support for neighborhood schools.

The president may say he's going to do something.

I'm from Missouri!

Sincerely,

Gayle Wm. Taylor

Chairman, Pro Temp

cc: see attachment

Mr. Morton Blackwell
August 19, 1981

List of Addressees For Copies

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Washington, DC 20000

Mr. William French Smith
Attorney General
Washington, DC 20000

Mr. Terrell Bell
Secretary of Education
Washington, DC 20000

Mr. Christopher S. Bond, Governor
State of Missouri
Jefferson City, MO 65101

Mr. John Ashcroft
Attorney General
State of Missouri
Jefferson City, MO 65101

Reagan Closely Watching St. Louis School Cas

By William Freivogel
Post-Dispatch Washington Bureau

WASHINGTON — President Ronald Reagan has taken a personal interest in the St. Louis public schools desegregation case, presidential counselor Edwin Meese III says.

Meese and Missouri Gov. Christopher S. Bond also disclosed in interviews Thursday with the Post-Dispatch that they had talked about the case in several recent conversations. In fact, Bond said, he reminded Meese in a meeting Thursday in Kansas City about the state's strong opposition to forced school busing.

On Thursday, Meese said he had talked to Reagan about the St. Louis case, and the president had expressed a personal interest.

But Meese did not give any details of what steps Reagan had ordered or recommended.

Meanwhile, Missouri Attorney General John D. Ashcroft slipped unannounced into Washington on Thursday to urge top U.S. Justice Department officials to support part or all of the state's appeal of the St. Louis desegregation ruling to the Supreme Court.

The Justice Department has until Monday to respond to the state's appeal of the federal court order requiring desegregation of the St. Louis schools.

The Post-Dispatch reported two weeks ago that the department was considering support of part of the state's appeal to the Supreme Court.

Specifically, the department may recommend that the Supreme Court consider whether the state should be forced, as ordered by the U.S. District Court in St. Louis, to pay half the cost of the desegregation effort, department sources said.

Until now, the department has consistently argued that the state is liable to pay for part of the desegregation plan now in effect in St. Louis. Consideration of a shift in position is partly a result of Ashc lobbying of Justice Depart officials, the sources said.

Ashcroft's meeting Thursday William Bradford Reynolds, the he the department's Civil Rights Div was aimed at encouraging department to support part of state's appeal, sources said.

Ashcroft himself evaded com on the meeting. Justice Depart sources said he had hoped the me could be held secretly. The depart confirmed that the meeting had held only after a reporter already learned details of it.

Justice Department spokesman

See SCHOOLS, Page 7

■ FROM PAGE ONE

V. Wilson Jr. confirmed that Ashcroft had talked to Reynolds about the response the department might make to the state appeal.

One possibility raised was for the department to make no response at all, Wilson said. That would mean the government was taking no position on the state's appeal.

Wilson said no decisions were made at the meeting. Another Justice Department source said it was still possible that the department would continue to adhere to its past position and flatly oppose the state's position.

Thursday's session was the second meeting that Ashcroft is known to have had with top Justice Department officials about the St. Louis desegregation case. In late May, Meese arranged for Ashcroft to meet with U.S. Attorney General William French Smith.

Meese arranged the meeting after Bond had protested to him about the Justice Department's handling of the case.

At the time of the May meeting between the attorneys general, Meese and Bond disclosed that they had talked on the telephone and in person about the St. Louis case.

Bond said Thursday that the conversations have continued. He said he talked with Meese in June as well.

Bond brought up the matter in several discussions with Meese over the last three months, sources said. In addition, there have been contacts with other White House officials, the sources said.

Meese said that the review of the St. Louis case being conducted by the Justice Department was a comprehensive one.

Ashcroft, Bond and Reagan are all Republicans. Former Justice Department officials who handled the St. Louis case, like Temple University professor Robert Reinstein, have criticized the Reagan administration for allegedly permitting politics to enter into Justice Department decision-making.

Robert Goodrich of the Post-Dispatch staff contributed information for this story.

Post-Dispatch

8/14/81

U.S. Opposes State Integration Appeal

Meanwhile, St. Louis school board tells judge there is no reason to delay moving toward a mandatory desegregation plan.

By CHARLES E. BURGESS
and ARTHUR J. THOMASON
Globe-Democrat Staff Writers

The Reagan administration, rejecting pleas from Missouri officials, urged the U.S. Supreme Court not to hear an appeal of court-ordered desegregation of St. Louis schools.

"St. Louis' schools were segregated pursuant to Missouri law," the Justice Department said in a brief filed with the court Monday and reported by the Associated Press.

"The state has been ordered to assist in remedying that constitutional violation," the brief said. "The decisions (of the lower courts) were squarely governed by decisions of this (U.S. Supreme) court. Accordingly, the petition should be denied."

Meanwhile, St. Louis school board attorneys argued in their brief Monday that a decision by the U.S. Supreme Court to review the desegregation plan "might seriously disrupt the educational program of the city schools."

THE BOARD URGED the Supreme Court to reject challenges by Missouri Attorney General John D. Ashcroft to financing and interdistrict planning requirements in the plan.

Granting the request for a hearing "would simply resurrect and exacerbate all the doubts and concerns that the community long since put behind it in uniting to make the court-ordered plan work for the city's schoolchildren," the school board's brief said.

Lower court rulings that the state must pay half the costs of the desegregation plan and take a role in interdistrict planning were proper because the state was found to be a "primary constitutional violator" in the case, the brief said.

ASHCROFT TALKED with Justice Department officials last week in an effort to persuade them to change their position on the case. His efforts apparently failed.

Under lower court rulings, the state has been ordered to pay half the costs of the busing plan for St. Louis schools, a levy which amounted to $11 million during the 1980-81 school year.

Ashcroft, in his meeting with Assistant U.S. Attorney General William Bradford Reynolds of the Justice Department's civil rights division, had asked specifically that the administration review the question of the state's obligation to help pay for the desegregation plan.

The administration's decision is "gratifying . . . and comforting," said Paul B. Rava, an attorney with the city school board. "The cloud is gone over the outcome because their decision is influential. . . . The decision fortifies our position."

BUT HE ADDED, "It's never final until the court decides."

Speaking to the Justice Department's statement that decisions of the lower courts "were squarely governed" by decisions of the Supreme Court, Larry R. Marshall, state assistant attorney general, said, "We don't believe they were 'squarely governed' — they exceeded their grounds."

Ashcroft was unavailable for comment but Marshall said the Reagan administration's action "is no great surprise. They have been an adversary to the state from the beginning — they have consistently opposed our position."

THE SUPREME COURT is to decide during its autumn term, which begins

Continued on Page 11A

U.S. opposes state desegregation appeal

Continued from Page 1A

in October, whether to hear the appeal in the St. Louis case.

Meanwhile, in St. Louis Monday, school board attorneys told a federal judge that the response by suburban school districts to a voluntary interdistrict desegregation proposal has been so unenthusiastic that there is no reason to delay moving toward a mandatory plan.

Rava acknowledged that the board's move is an attempt to interest more districts in participating.

Participation by only four of 39 school districts in three suburban counties "cannot serve as a basis for staying the proposed interdistrict litigation," board attorneys urged U.S. District Judge William L. Hungate.

THE ATTORNEYS argued that Hungate, who had proposed the voluntary plan, should:

— Refuse any "blanket" delay on litigation, even for districts that have agreed conditionally to cooperate in the voluntary plan. A limited stay could be allowed for a year for some participating districts, the attorneys said.

— Order the state to pay transportation costs and supplementary state aid, according to the voluntary plan's formula, for all suburban students who individually are seeking to enter the St. Louis system or other districts where their race is a minority.

— Permit the school board and National Association for the Advancement of Colored People to file claims, pending since January, under which districts in St. Louis, St. Charles and Jefferson counties would become formal defendants in the case.

The chief condition set by districts tentatively agreeing to participate in the plan was that they be protected from litigation over mandatory interdistrict busing. The districts are Clayton, Kirkwood, Ritenour and University City.

"THE COURT PLAN would have to include a stay of litigation in some form or the districts I represent would not be interested," said attorney Bertram W. Tremayne Jr., who represents the Kirkwood and University City districts.

"We can have a voluntary plan or we can litigate. We can't do both at the same time," said John Gianoulakis, the Ritenour district's attorney.

The board suggests the state pay all costs for voluntarily transferring students even if other portions of the plan are shelved.

Under the plan's formula, the state also would pay half of normal state aid to the home district of each transfer student. The receiving district would get $1,250 for each non-resident student it accepts, plus half the difference between $1,250 and the actual average cost of educating a student.

"IT IS TYPICAL of the St. Louis board's attempts to get money," Marshall said. "Now that they don't really have any participating districts, they want the state to expend money anyway."

Of 5,903 applicants for St. Louis magnet schools this fall, about 300 are suburban students. Their home districts include 24 that have turned down the voluntary plan and the four tentative participants.

Hungate's plan had specified that "fiscal incentives" would go only to districts that agreed to participate but the board proposes making them available to non-participating districts.

The NAACP late Monday filed arguments supporting those of the city school board. Those elements of the voluntary plan concerning opening new city magnet schools, the fiscal incentives and the transportation costs should "be permitted to go forward," it said.

BECAUSE OF THE disappointing reaction to the voluntary plan, no stay on mandatory litigation steps should be granted, it added.

In a separate filing, the St. Louis board asked authorization to change attendance areas to reassign 100 freshmen to Vashon High, relieving probable overcrowding at Northwest High.

Also sought, at elementary level, was permission to reassign 26 Cook Branch School students to Hamilton Branch 2, and 40 Cook Branch students to Hempstead, also because of potential overcrowding.

STOP FORCED BUSING

NANS

NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

July 31, 1981

Mr. Morton Blackwell
The White House
Washington, D.C.

Dear Mr. Blackwell:

Enclosed is our latest newsletter. Article on front page describes meeting of NANS Contingent with you June 3.

An article in today's Cleveland Press says President Reagan has "not even read an anti-busing constitutional amendment proposed by Rep. Ronald Mottl, D-Parma, who claims Reagan supports it."

This is quite embarrasing since Mottl said Reagan had indicated several weeks ago that he would support it (in a conversation between Reagan and Mottl in which Mottl pledged to vote for Reagan's budget cuts.)

This same thing happened before Reagan was elected - while he campaigned here in Cleveland. After writing as a columnist much praise of Mottl's amendment in 1979, Reagan was reported to state that he didn't even know Mottl! Clevelanders were terribly upset over that. Now this! (Mottl was given a Hero's welcome at the airport here in 1979 after his amendment was forced on the House floor.)

Sincerely,
Mrs. Joyce Haws
NANS Communications Office

I apologize that my typewriter is broken at present.

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membership office
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STOP FORCED BUSING

NANS

STOP FORCED BUSING

NANS

NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

BULLETIN # 25 JULY - AUGUST 1981

THE LAST FEW YARDS ARE THE HARDEST

As you will read in this bulletin, we are closer than ever to crossing the pro-busing "goal line" and scoring an end to forced busing. The opposition is digging in for a vicious "goal line stance." Our "ball carriers" (those friends of ours in Congress who are the strongest anti-busers) may be stopped in their tracks because of weak spots in a "front line" composed of the majority votes we need (and should have) among their colleagues. The opposing "team" of pro-busing senators and congressmen, fanatic although outnumbered, is being goaded into further efforts by the shrill screaming of its "fans" in the liberal media and "civil rights" stands. Our "front line" is nervous and intimidated. Meanwhile, what should be a strong section of our own "fan" support - the Reagan Administration - which came to the game vowing to root our team on is not vocal enough and appears intimidated by the other side's "fans." BUT WE STILL HAVE THE LARGEST ROOTING SECTION - you and I and all the rest who oppose forced busing. We must root louder and stronger. We must make our voices heard!

NANS CONTINGENT IN WASHINGTON JUNE 3-4

On the morning of June 3 NANS president Bill D'Onofrio testified before the Constitution Subcommittee of the Senate Judiciary Committee on the negative effects of city-suburbs forced busing in New Castle County, Delaware. Also testifying, at NANS request, was Thomas Curtis, a black educator, lawyer and author. Anti-busing Professor Curtis is on the editorial board of the conservative quarterly, The Lincoln Review, and writes for the conservative American Enterprise Institute. The hearings, chaired by Senator Orrin G. Hatch (R-Utah), were a preliminary to the emergence of anti-busing legislation from the committee.

That afternoon, NANS secretary Kaye C. Cook, board member Jim Venema, NANS St. Louis activists Ora Mae French and Barbara Mueller, Missouri state representative Jean Matthews (who also testified before the subcommittee) and NANS Washington lobbyist Clarence B. Randall Jr. joined D'Onofrio and Curtis as the contingent met with Special Assistant to the President, Morton Blackwell, a movement conservative who serves as a liaison between groups like NANS and President Reagan and his inner circle of advisors. The fruits of this meeting will be further meetings between NANS and key Administration people with the busing issue, coordinated by our lobbyist.

That night D'Onofrio was the guest on a lively hour-long radio talk show hosted by outspoken conservative author and commentator Jeffrey St. John. D'Onofrio and St. John blasted away on the busing issue, especially at teachers who were asked by St. John to call in and defend their union's advocacy of forced busing. St. John exclaimed that the busing discussion "lit up" his program's switchboard. The ground work was also laid for a possible future appearance by Professor Curtis on the program to discuss opposition to busing from a black perspective.

On the morning of June 4 NANS was informed that a group of some 300 Pittsburgh suburbanites, about to come under a federal court's city-suburbs busing order, had traveled to Washington to picket the Department of Justice and meet with Department spokesmen. Cook and D'Onofrio went to mingle among the picketers, introducing them to NANS and our strategy on the issue. The group's leadership, however, remains highly suspicious of an "outside force" such as NANS and unconvinced that they can not stop forced busing "locally" Meanwhile, pro-busing "community leaders" in Pittsburgh have circulated the idea that NANS is affiliated with the Ku Klux Klan.

Early that afternoon, D'Onofrio, Cook, Mueller, French, Curtis and lobbyist Randall met for over an hour with Secretary of Education Terrel Bell in what turned out to be a worthwhile effort. The Secretary insisted that his Department would not be involved in the insidious types of programs coerced by its predecessor Department of Health, Education and Welfare, including forced busing. He asked D'Onofrio to inform him of deviations

(cont. page 2)

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STOP FORCED BUSING

NANS

NANS IN WASHINGTON (Cont.)

from the Reagan Administration's announced policies by entrenched bureaucrats within his Department. On the other hand, Bell candidly laid out for us the difficulty the Department of Justice, headed by Attorney General William French Smith, has had harnessing the continued pro-busing zeal of liberals locked into their jobs by the civil service system and the difficulty Bell has had convincing Smith himself to take an absolute anti-busing stance.

NANS closed out its two-day foray as French and Mueller from St. Louis, along with Cook and D'Onofrio, met with "moderate" Missouri U.S. Senator John Danforth, who, before the advent of vigorous NANS activity in the St. Louis area, had a poor anti-busing voting record. However, at this meeting, we obtained a firm commitment from Danforth, albeit a nervous one, to "support any (anti-busing) legislation reported out of the Senate Judiciary Committee." That's the "NANS way."

FROM "UNCONSTITUTIONAL" TO JUST NOT "RIGHT"

In a recent letter to Senate Majority Leader Howard Baker (R-Tenn.) opposing impending anti-busing legislation in the Congress, Herbert Hoffman, director of the American Bar Association's governmental relations office, warned that such legislation would "drastically restrict" the powers of the courts to act in what he called "school desegregation cases."

Said Hoffman, "The issue is whether as a matter of policy and constitutional permissibility, this nation is going to adopt a policy whereby each time a decision of the Supreme Court or lower federal courts offends a majority of both houses of Congress, the jurisdiction of the federal courts to hear that issue will be stripped away." (Emphasis ours)

Well now! Read that one again! Here we have an admission from the prestigious lawyer's association that Congress can set a no-busing policy and not permit forced busing under the Constitution by stripping the federal courts of jurisdiction to order forced busing and to do so by simple majority legislation!

For a long time, those opposed to the idea of Congress using its powers under Article III of the Constitution to stop forced busing by removing federal court jurisdiction to order such "remedies" used as the basis of their arguments the claim that such congressional action would be "unconstitutional."

We in the anti-busing movement knew better. We knew that Congress has the clear power to do just that. We knew that those who said otherwise were either ignorant of the Constitution or out-and-out liars.

Now, with the absolute constitutionality of such congressional power becoming more well known due to increased public debate and citizen action and a series of congressional hearings on the subject, all resulting in an increased awareness, candor and determination by previously hesitant congressmen, the opposition is reduced to whining that such legislation wouldn't be "right."

Lawyers like Mr. Hoffman don't like majority rule. They would rather have lawyers and judges control our government. Hoffman complains of a majority of Congress being "offended" by court busing decisions while ignoring the fact that it is an overwhelming majority of all Americans who are offended by such judicial tyranny and that the Congress is finally beginning to react to pressure under our representative system of government.

In this regard, a nationwide poll conducted earlier this year by Sindlinger & Co. for the Heritage Foundation found that 81.3% of those polled favored "congressional efforts to withdraw federal court jurisdiction over cases involving issues such as busing." Only 14.6% said they opposed those efforts.

REAGAN APPOINTMENTS FAIL TO IMPRESS

The most important moves by President Reagan to date as they affect the issue of forced busing have been his appointments to the key Justice Department posts of Attorney General, Deputy Attorney General, Assistant Attorney General to head the Civil Rights Division, and his nominee to succeed retired Supreme Court Justice Potter Stewart.

In assessing the possible impact of such appointments before their own actions gives a clear picture of their position on the busing issue, one need only pay attention to what the "other side" says or doesn't say as the appointments are made. The silence of the NAACP, the ACLU and other pro-busing crazies has been deafening. The reaction of the liberal media and left-leaning groups and politicos has either been without criticism or of clucking approval.

William French Smith, a Reagan associate and wealthy California lawyer, was made Attorney General (head of the Justice Department). To date, Mr. Smith appears to be content with merely continuing the anti-busing rhetoric of the Reagan campaign. The naked truth is that the Department of Justice, now under Reagan as it was under Carter, is still pursuing busing orders. Any change of direction is almost imaginary or merely "promised."

Edward Schmultz, of no known anti-busing conviction, was made Smith's Deptuy Attorney General.

Perhaps the key Justice Department post as concerns the anti-busing movement is that of Assistant Attorney General for Civil Rights - head of the Justice Department's Civil Rights Division. This is the post that is really responsible for implementing busing issue policy for the Administration.

Pushed hard for this post was Lino A. Graglia, professor of Constitutional Law at the University of Texas, long-time friend of NANS, impeccably-credentialed, the best bet in the legal community to bring "civil rights" questions back on an even keel, and armed with a strong conviction that the courts have stood the Constitution on its head. Backing Graglia were Senators Strom Thurmond (Chairman of the Senate Judiciary Committee) and John Tower, the conservative think-tank Heritage Founda-

(cont. page 3)

REAGAN APPOINTMENTS (Cont.)

tion, The Conservative Caucus, and other conservative officials and groups.

In a March interview, Smith and Schmultz told Graglia that his writings and position "formed the foundation of the Administration's position" on the busing issue. Then, incredibly, they expressed their concern for Graglia's "credibility with blacks" Schmultz even wanted to know if "there was a liberal (pro-buser) who would endorse Graglia's appointment.

Meanwhile, in the New York Times and on television, black "civil rights" leader David Tatel, a top pro-busing attorney under the Carter Administration, slanderously bellowed "Graglia's anti-busing rhetoric was tantamount to saying you wouldn't want your sister to marry one."

Lacking political courage and pandering to Tatel and his ilk, Smith rejected Graglia and the crucial post went to William Bradford Reynolds, a Washington attorney of no real "civil rights" experience. Reynolds' father, a prominent attorney, and his mother, a duPont, are residents of Greenville, De., a bastion of wealthy moderate-liberal Republicanism and where Reynolds was raised.

The chickens came home to roost early. At his confirmation hearing Reynolds said he was "fully sympathetic" with members of Congress opposed to busing. He then strongly voiced his opposition to legislation that would prohibit the Supreme Court from hearing busing cases. Said Reynolds, "In my personal view, it's a bad idea for Congress to try to do it. I have a lot of trouble when one of the three branches of government begins to cut back, modify the powers of another."

Supreme Court Nomination

With the retirement of moderate Justice Stewart, President Reagan had his first chance to begin restructuring the Supreme Court with appointments of the needed conservative persuasion. To follow through on his own pronouncements, the President would have had to nominate a person several shades to the right of the retiring Stewart. He nominated Sandra Day O'Conner, an Arizona judge.

Among the first to jump on Mrs. O'Conner's bandwagon were some of the most radical (and pro-busing) liberals in Congress, including Senators Ted Kennedy and Alan Cranston, House Speaker Tip O'Neill and Congressman Mo Udall. Kennedy was "heartened" by the nomination. Cranston said that Democrats as a group would endorse the nomination and that "the only opposition will come from Republicans." O'Neill said the nomination "is the best thing he (REagan) has done since he was inaugurated."

Rejoiced Udall, "She's about as moderate a Republican you'll ever find appointed by Reagan. If we're going to have Reagan appointments to the Court, you couldn't do much better." Liberal newspapers are cooing over the nomination, as are the likes of pro-abortion forces, the radical National Organization for Women and the top left-wing political action group, the Americans for Democratic Action, headed by the radical priest Robert Drinan. Meanwhile, the Pro-Lifers, the anti-ERA forces and the Moral Majority are being blasted for their opposition. The NAACP and the ACLU are ominously silent.

As an Arizona state senator, Mrs. O'Conner is reported to have once voted for a resolution asking Congress to stop busing, a rather weak state legislative initiative. However, she strongly opposed legislation that would have given Arizona parents a say on psychological testing and behavior modification schemes (read mind control) in public schools. Although her stance on abortinn is being played down in the media, she sponsored legislation to permit abortions on minor girls without the permission of their parents. And as a person purportedly opposed to judicial intervention in legislative matters, she supported the Equal Rights Amendment, the bottom line of which is to allow the Supreme Court to "interpret" matters pertaining to sex.

With Mrs. O'Conner's record and position on the busing issue rather vague, her "social issues" record as outlined above is not encouraging. You won't find too many officials who are in favor of abortion and ERA and yet strongly opposed to forced busing. By the same token "moderate" Republicans (as Mrs. O'Conner is) who oppose busing strongly enough to do us any good are the exception rather than the rule.

Approval by the Senate of Mrs. O'Conner's nomination is a cinch, and the Supreme Court goes back in session in October. We'll find out soon enough what Reagan did with his first chance at "restructuring" the Supreme Court.

ANTI-BUSING ACTIVITIES IN CONGRESS

If you're confused over what's been going on in the Congress on the busing issue over the past several weeks, we'll try to clear things up.

Earlier this year Senator J. Bennett Johnston (D-La.) introduced his S 528 which we described in an earlier bulletin. The bill, using Congress' powers under Sect. 5 of the 14th Amendment to the Constitution to define remedies courts may use for "violations" of that Amendment, would limit court-ordered busing to five miles or 15 minutes one-way from the school a child would normally attend. It did not touch on the matter of court jurisdiction.

On May 14,"courtesy" hearings were held on S 528 before the Separation of Powers subcommittee (Sen. John East, Chairman) of the Senate Judiciary Committee. At the request of Sen. East and Sen. Orrin Hatch, NANS submitted a critique which stated our non-support of the weak measure. With stronger anti-busing legislation being formulated, the idea was to allow the Johnston bill to "die" in committee.

On June 9 the House, for the fourth year in a row, passed the Collins amendment to the Justice Department Appropriations prohibiting that Department from going to court seeking busing orders. As we've pointed out, this language would not stop private parties or the

(cont. page 4)

ANTI-BUSING ACTIVITY IN CONGRESS (Continued)

NAACP and ACLU from getting courts to order busing. It was this language that Jimmy Carter vetoed last year.

The Collins amendment passed the House by a whopping 265-122 margin even though 29 strong anti-busing congressmen were absent. As further evidence of the way we are picking up steam, 61 of the 75 freshman congressmen voted for the measure and some 30 veteran congressmen with formerly poor anti-busing records voted for it. As one can see, we have the makings of a strong anti-busing House majority when we get around to stronger legislation in that body.

Later in June, the Senate took up the Justice Department Appropriations and Senator Jesse Helms moved to amend that body's version of the bill with language identical to that of Collins. Senator Lowell Weicker, the radical Connecticut Republican, as he tried to do last year, moved to "gut" this Helms amendment by adding an amendment making it void when "violations of the 5th and 14th Amendments to the Constitution" were being pursued. As an indication of our strength in this new Senate, the pro-busing Weicker amendment was crushed, 45-30, despite the absence of up to a dozen pretty fair anti-busers.

Enter Senator Johnston. Miffed that his bill was being held up in committee, he resolved to attach it to the Justice Department measure by adding it as an amendment to the Helms amendment, which now became the "Helms-Johnston Amendment." Despite urging by other anti-busing senators to wait instead for stronger legislation to flow from the Constitution subcommittee (which held extensive hearings on such prospective legislation May 14-June 4), Johnston was adamant. He did dress up his language a bit by adding in Congressional powers under Sect. One of the Constitution's Article III to limit the jurisdiction of lower federal courts and by applying his time and distance allowances to a child's residence instead of a child's "normal" school.

Senator Weicker then began a "mini-filibuster" against the Helms-Johnston amendment up to the Senate recess for the 4th of July holidays.

When the Senate went back in session, Weicker was loaded for anti-busing bear. He and 11 other pro-busers--Republicans: Specter (Pa.), Chafee (R.I.), Mathias (Md.), Percy (Ill.), and Hatfield (Ore.) and Democrats: Moynihan (N.Y.), Mitchell (Maine), Kennedy (Mass.), Bradley (N.J.), Hart (Colo.) and Matsunaga (Hawaii)--had sent "dear Colleague" letters advising the anti-busing forces to expect a whale of a floor fight. A Weicker-led filibuster began in earnest. THEN, joining in pledging their support for the filibuster were still three more pro-busing senators: Cohen (Maine), Cranston (Calif.) and Metzenbaum (Oh)

To stop a filibuster, 60 votes are needed under Senate rules. This is called "invoking cloture." On July 13 the cloture attempt failed, 54-32 - six shy of the required 60. However, at least five of the 14 absent senators are anti-busers. Fifteen of the 32 senators voting to continue the filibuster were Republicans - from the Party whose 1980 platform proclaimed "there must be no forced busing." Only one of the 32 was a real surprise - alleged conservative Alfonse D'Amato from New York.

Senate majority leader Howard Baker then announced that the anti-busing amendment (which bear in mind, NANS does not support because of its time and distance allowances)would be pulled from the floor to make way for other types of legislation, including the tax-cut bill.

Meanwhile, the Constitution subcommittee of Senator Hatch is still working on the kind of legislation we are looking for, legislation designed to stop all busing for racial balance. Further input from NANS (in addition to our testimony on June 3) was requested and supplied to the subcommittee, and we received help in doing so from anti-busing constitutional law professors Lino A. Graglia and Charles E. Rice. This legislation will either replace the "Johnston amendment" or will reach the floor as a separate piece of legislation. Either way, the filibustering Weicker and his pro-busing cronies will be waiting.

As an example of what we're up against here, consider the statement attributed to Max Friedersdorf, head of the White House congressional lobbying efforts, in the July 13, 1981 Time as concerns the so-called "social issues." (which includes busing): "Those issues are so emotional, are of such deep personal belief, that they are difficult for the White House...to lobby on. It is an area we are wise to stay out of." Liberal Republican senators make up nearly half of the minority of the full Senate who favor busing. We cannot allow our efforts to be stymied by a filibustering minority. You can add Friedersdorf, spouter of liberal euphenisms and buzzwords, to the list of curious appointments by Reagan.

Depressing? Yes, but the question is whether we are going to keep fighting or roll over and play dead! We choose to keep going right at them! THOSE LAST FEW YARDS ARE ALWAYS THE HARDEST.

TO DO: President Reagan has demonstrated that he can play political hardball with the Congress and whip them into line. Let him know you expect him to do the same thing on the busing issue. His administration said nothing during the Weicker filibuster described above. The GOP cannot allow 15 or more of its senators to continue their pro-busing ways. We should have the votes on the Senate floor to pass the legislation we are looking for. We have come too far to be stymied by a filibuster. YOU ALL KNOW WHAT TO DO! Pressure Reagan. Pressure the Republican National Committee. Pressure your own Senators. If they are pro-busers, expose them. If they are anti-busers, pressure them into dealing strongly with their pro-busing colleagues. Make your views known to Senate Majority Leader Howard Baker. Each person must do these things. Do not put them off. Do not "let Joe do it."

LATEST NANS AFFILIATE

Parents for Neighborhood Schools of East Baton Rouge Parish, Louisiana, is the latest NANS affiliate. Stephan Van Osdell heads the new group, composed mainly of suburban parents whose children are about to be subjected to a federal judge's city-suburbs busing order.

NANS president Bill D'Onofrio spent the weekend of June 26-28 in Baton Rouge meeting with community anti-busing leaders and the area's congressman, W. Hinson Moore, and addressing an anti-busing rally held in front of the State Capitol following an orderly, but spirited, march by 300 parents, children and grandparents.

Welcome aboard, Parents for Neighborhood Schools.

A CLEAR PERSPECTIVE

Lino Graglia, at the urging of NANS president Bill D'Onofrio, submitted a letter to the NANS lobbyist regarding his position on the busing issue. In it he made the following observations:

"...Unfortunately, it is not enough that the nominee (for Assistant Attorney General for Civil Rights) be opposed to busing. A large part of the difficulty with this issue is that nearly everyone claims to be opposed to busing in principle or theory and to be seeking "viable alternatives" to busing. This was certainly the stated position of the Carter administration...it would appear that little or nothing has changed. The need is not simply for someone against busing, but for someone who understands the history, rationale and application of the busing requirement in specific detail, someone totally knowledgeable with every development and experienced in responding to every argument and maneuver of proponents of busing. The major proponents of busing have been people...for example, Drew Days...not only highly competent and articulate, but also totally immersed in the subject. Throughout the history of busing, a major disadvantage of school authorities and other busing opponents is that their lawyers and spolesmen have not been comparably knowledgeable and experienced in this incredibly complex and difficult area of constitutional law...they have simply been unable or unwilling to make their best arguments although they have often had both law and fact on their side.

"The sad and almost incredible fact is that the busing requirement has largely been imposed by means of what is little more than a verbal subterfuge, by the assertion--legally and factually mistaken--that existing school racial separation is "segregation" and therefore in violation of Brown and requiring "desegregation," which almost always means busing. An effective opponent of busing must understand and refuse to play this verbal game. For example, it does no good to announce that a city with racially "imbalanced" schools must be "desegregated" and must end "racial isolation" and to propose "innovative plans--which turn out not to be innovative--that will 'work and work now.' 'Work' to do what, one must ask. To end unconstitutional segregation where there is no such segregation? Simply to compel greater integration when there is, at least in theory, no such constitutional requirement?

"...Busing is in essence an attempt to create racially balanced schools despite the fact that people don't live in racially balanced neighborhoods. This cannot be done without excluding children from their neighborhood schools and transporting them to distant schools on the basis of race. But there is no constitutional or statutory requirement that this be done. An effective opponent of busing must be willing to say that the 'viable alternative' to court-ordered busing is no court-ordered busing, the assignment of children to their neighborhood schools. Racially imbalanced schools will continue to exist, but this, everyone agrees, is not prohibited by the Constitution; and, as Professor Thomas Sowell has said, the ultimate insult to a racial or ethnic minority is to argue that a school predominantly of that minority is therefore inferior."

THE LOBBYING FUND

The NANS lobbying fund continues to be supported mainly by a small percentage of NANS affiliates and members. **READERS - DID YOU EVER STOP TO CONSIDER WHAT WOULD HAPPEN IF EACH AND EVERY NANS MEMBER DONATED JUST A COUPLE DOLLARS EACH MONTH? LET'S TRY IT!**

SAME OLD RHETORIC

We have senators and congressmen who, even after agreeing that forced busing is impractical and unworkable, etc. will still say in the next breath, "I do not feel it is appropriate to attempt to take away the Court's Constitutional power to order busing where no other practical remedy exists." These senators and congressmen talk about seeking "alternatives."

Their arguments pre-suppose that the Constitution of the United States requres racially balanced schools.

We ask these senators and congressmen how this nation can provide quality education for all children until its government ends the racist practice of determining one's position in society and in school by the color of his skin, a practice which has all but destroyed quality education.

These senators and Congressmen would use racism and discrimination to end racism and discrimination. They would destroy quality education to provide quality education. How insane!

Will we elect them again? We must find the vehicles to adequately inform those who did elect them. The public not involved in forced busing must first be informed as to what exactly "forced busing" is, and second to the position and voting record of these "representatives."

READERS: What have you done today? And What will you do tomorrow?

IMPORTANT NEW BOOK AVAILABLE

Dr. Ralph S. ScottJr., a NANS founder and a courageous social scientist who dares to be candid on the negative effects of forced busing on black children, has published an important new work, "Black Achievement and Desegregation: A Research Synthesis" In this latest effort, Dr. Scott examines every major "scientific" study to date on the effects of forced busing on black student achievement.

Using the cutting edges of truth and common sense, Dr. Scott has skillfully examined the efforts of those who, either out of blind advocacy of forced busing or timidity, have either presented distorted and deliberately skewed "findings" or have meekly diminished their findings with weak conclusions out of fear of ostracism by their peers.

Copies of the book are available without charge (Please limit the number you request) from the publisher, American Education Legal Defense Fund, Suite 328, 206 N. Washington St., Alexandria, Va. 22314. Attn. Mrs. Sylvia Crutchfield.

AVAILABLE BROCHURE EXCELLENT

An excellent brochure entitled "How Is Judicial Supremacy Affecting You and Your Family" is available from Pro-Family Forum, P.O. Box 14701, Fort Worth, Texas, 76117. The cost is $9.00 for 100; $5.00 for 50. There is $1.00 handling charge on orders of $5.00 or less and 75¢ for each additional $5.00 or part thereof. Texas residents add 5% sales tax.

DISCHARGE PETITIONS - IMPORTANT

Congressman John Ashbrook has introduced his discharge petition on HR 1180. It is Discharge petition # 4. All readers are asked to follow all usual procedures and efforts on grass roots legislative action. Be sure people are aware that we are now pushing two discharge petitions in the U.S. House of Representatives. Discharge petition #1 on the Mottl amendment (HR 56) and #4 on the Ashbrook bill (HR 1180)

In a person-to-person conversation between President Reagan and Congressman Ron Mottl on April 23, 1981, Reagan promised to support Mottl's proposed amendment.

MORE GOOD TESTIMONY

"The most unpopular, least successful, and most harmful national policy since Prohibition" is how David J. Armor, a Rand Corporation researcher and distinguished social scientist, described court-ordered busing of school children as he testified before the Senate Judiciary committee in mid-May.

(St. Louis Globe-Democrat, 5/16-17/81)

ACTION IN OHIO ON JUDGES

Readers will remember that the Ohio GOP put together last year a conference on the excessive power of federal judges and extensive discussion took place on moves to stop this power. At that time NANS urged readers to meet with GOP officials in other states urging similar action.

State senator Paul Matia of Ohio has introduced a resolution calling for the Congress of the U.S. to amend the Constitution to eliminate the virtual lifelong terms of the office of, and deal with the terms of office, qualifications, method of selection and powers and authority of federal, circuit and district court judges.

Matia also proposed a resolution for Ohio to call for a constitutional convention for the limited purpose of passing an amendment to the constitution to abolish forced busing. His bill passed the Ohio Senate by a wide margin and is now in the House.

Ohio state senator Gary Suholdolnik's bill to amend the Ohio constitution making forced busing illegal and forbidding state funds being used for any court ordered busing, also passed the Ohio state senate by an even wider margin and is now in the House.

(What is your state government doing? One state's voice is not enough!)

CONSTITUTION IS SUPREME

In a column in the Washington Post (5/3/81) Senator Orrin Hatch reminds that the U.S. Constitution specifically obligates Congress to check the judiciary when it steps beyond Constitutional limits. In the famous ex parte McCardle case concerning a habeas Corpus petition following the Civil War, the Court itself branded the course of conduct it had pursued for nearly a century as "an unconstitutional assumption of power." If the Court, by its own admission, had unconstitutionally assumed authority for almost 100 years, "Congress is justified," says Hatch, "in asking what it might not yet have confessed."

Hatch further reminds that the "Supreme Court once ruled that a black man is not a person (similar to the ruling about unborn children) and could be regarded as property. More recently, the court decided that Japanese Americans could be incarcerated during World War II, simply on the basis of their national origin. "If a future court wanted to return to these precedents," Hatch warns, "we would all be more secure knowing that Congress could halt the legal abrogation of rights."

"The federal judiciary has been courting constitutional disaster by reading its own predilections into the nation's foundational document," says Hatch. "The Supreme Court is the body charged with policing the bounds drawn by the Constitution. When the policeman violates the law, a higher authority must undertake to protect freedoms. The Constitution is that higher authority and has outlined the means to prevent orerreaching."

"The Constitution is supreme, not the Court," reminds Hatch.

LEADING LIBERAL MAGAZINE FEATURES ANTI-BUSING ESSAY

The New Republic, a leading liberal magazine of public opinion, included in its Feb. 28 issue a scholarly essay by John H. Bunzel entitled "The Wrong-Way Bus Ride."

Bunzel, former president of San Jose State University in California, now a senior research fellow at the Hoover Institution in

(continued on page 7)

in Stamford, has this to say:

"Although the landmark (Brown) decision upheld the constitutional principle of school desegregation, it did not call for affirmative integration. Nor was it intended to promote a particular level of integration, much less judge-made policies of school assignment." Bunzel points out that this understanding of the Brown decision was reflected in the specific language of the 1964 Civil Rights Act: "Desegregation means the assignment of students to public schools without regard to their race, color, religion or national origin, but desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance."

"It is not necessary to believe that 'the voice of the people is the voice of God' to recognize that in a representative democracy public opinion is and should be an important force in politics and has always been relevant to the purposes of public policy," says Bunzel.

"...busing has become part of a major distortion which has occurred in the liberal tradition of equal opportunity...The court is not empowered to define our legitimate or even obligatory egalitarian goals and the means by which they should be attained."

Quoting Oliver Wendell Holmes Jr., Bunzel reminds, "Legislatures, jist as much as the Courts, are the guardians of the liberties and welfare of the people. "Congress," says Bunzel, should confront the critical issue of how equality in the U.S. derives its meaning.."

"Congress," Bunzel says, "could begin reasserting its own powers and responsibilities by modifying the direction the Court has taken"

TO DO....TO DO....TO DO....TO DO

In addition to those items already mentioned earlier and which are outlined in the bulletin, each reader is urged to immediately do the following items:

1. Get your state legislature to pass the ALEC (American Legislative Exchange Council) suggested concurrent resolution asking Congress to pass legislation removing federal court jurisdiction to order forced busing. ALEC makes this recommendation in its 1981-82 "The Source book of American State Legislation," of which most state legislatures receive a copy.
2. Get your congressman to sign Discharge Petition # 1 to bring the proposed Mottl amendment to the floor and Discharge Petition #4 to bring the Ashbrook Bill to the floor.
3. Projects to raise money for lobbying effort
4. Your own donations for lobbying effort
5. A NANS membership drive going in your area.
6. Get your state GOP to sponsor a Task Force on the excessive power of federal judges (as was done in Ohio last year)
7. Flood letters to Congressmen, Senators, the President, and state representatives.
8. Keep NANS news releases, letters to the editor, forums etc. flooding into your local media (Don't give up)

(Continued next column)

TO DO...TO DO...TO DO (Continued)

9. Set up regular NANS meetings in your area to insure growth of your affiliate
10. Keep your own NANS membership renewed

FROM AROUND THE NATION

Baton Rouge, La.: The big news there is the new affiliate, of course (see page 5)

Boston, Mass; NANS director Nancy Yotts gets the prize for getting over fifty former members of NANS to rejoin.

ST. LOUIS: Since mid-September 1980, (and not counting May, June, or July) the St. Louis area has supplied the following to NANS: Memberships, $6,995.00; Lobbying Fund $4,309.50. Total $11,304.50. All this in just eight months! And since May when these figures were available, they have continued to grow by leaps and bounds.

Dallas, Texas: The Dallas school board has proposed a plan to U.S. District Judge Taylor which would end forced busing of some 14,000 pupils, reopening neighborhood schools in all geographical areas of the city. The NAACP, of course, is fighting for more busing instead of less busing.

What is exciting and encouraging, however, is that leaders representing many of the most distinguished black organizations in the city are among those going to court in support of the school board. These black leaders formally coalesced as the Black Coalition to Maximize Education (BCME), and much of the school board plan is based on their recommendations. Among groups comprising BCME are the Dallas Black Chamber of Commerce, the Dallas branch of the National Urban League, the Dallas section of the National Council of Negro Women, the Dallas Black Business and Professional Women, the Ministerial Alliance, the Committee of One Hundred (black corporate and government officials), the Dallas Black Parents and Citizens and several other black community organizations.

Dallas school board President Kathlyn Gilliam, a one-time supporter of court-ordered busing, testified recently that busing has been a negative experience for the Dallas black community which no longer believes it is an effective desegregation tool.

Mrs. Gilliam said the controversy surrounding busing has shifted attention away from what should be the most important objective of schools, equal education for all children. "A bus won't teach you one thing," she said. "Black parents want to end busing of their children and reopen neighborhood schools."

Mrs. Gilliam once worked for Dallas Legal Services which filed the current desegrega- lawsuit in October 1970.

Benton Harbor, Mich: The school districts of Benton Harbor (majority black), Coloma and Eau Claire have been ordered by a federal court to adopt a "voluntary" plan. "Voluntary" teacher reassignments, enticed by $1,000 bonuses are ordered until a 10% quota

(cont. page 8)

AROUND NATION (Cont.)

of black teachers in the majority white districts is reached. The court-appointed "desegregation" expert said there will be "no room" for teachers "not committed to making the plan work." "Racially biased material" is to be eliminated from all teaching materials, methods and textbooks. Black pupils will be allowed to transfer to majority white schools and white students to majority black schools. The "voluntary" plan will not be considered to have worked unless each school in Benton Harbor winds up within 10% of the black-white ratio for the entire district. The "voluntary" plan also closes some peripheral schools, bringing about the involuntary transfer of children attending them.

Cleveland, Ohio: The NAACP is seeking contempt of Court charges against the Ohio Department of Education for "undermining" the court busing order by helping two Cleveland private schools, formed as an answer to the busing order, with state accreditation and financial aid. However, the state had revoked the charter of one of the schools when it was purchased by an anti-buser, who is suing education officials for harrassing as truant children attending the private school.

The Cleveland Magazine, which has ignored the existence of our NANS affiliate there, editorialized that "There is no school board (in Cleveland) in the traditional sense and that the real school board is Federal Judge Battisti. Blasting the push by Cleveland newspapers for a new school board, the magazine compared such a push to the baseball Cleveland Indians attempting to solve their losing ways by getting a new batboy "because this school board is, after all, nothing more than a batboy for...Battisti." The magazine advised the newspapers instead to cover "the disintegration, the decay and the backroom pilfering of the schools by greedy carpetbaggers..."

Another Cleveland school board member was appointed by a judge (to replace a member who recently died). The new board member has pledged to support desegregation.

Columbus, Ohio: A report from Columbus Public Schools to District Judge Duncan reveals that from October 1979 to October 1980 a total of 8,963 students transferred out of Columbus Public Schools and enrolled in other school districts. (Since 1972-1973 over 65,000 pupils have withdrawn and entered other school districts.) The percentage of students scoring at or below grade level in citywide testing programs in reading vocabulary increased 55% from 1978 to 1980. In reading comprehension, there was a 60.5% increase in those scoring below grade level in the sixth grade, 78.2% more in the 7th grade and 70.5% more in grade 8 who scored below grade level.

The Columbus Foundation has created "A Center for Public Education" an advisory committee formed to address problems ranging from financing public schools to implementing "desegregation plans in Cleveland and Columbus." Most of the individuals on this committee are known pro-busers. (Think of all the donations made to this foundation by people unaware)

Federal judge Battisti has asked the state school board to draw up guidelines for private schools in Ohio by mid-August. The plans are to include their guidelines for reducing racial isolation in private schools (for purposes of future granting of accreditation and aid)

Lubbock, Texas: The Federal Judge has ruled that more busing is necessary, including a junior high for the first time.

Nashville, Tenn: Unable to maintain the "proper racial balance" after 8 years of forced busing, the Nashville Board of Education went back to court in 1978. The Court has now approved a plan to close 9 elementary schools and create 29 neighborhood schools in grades K-4; middle schools for grades 5-8 and closing two high schools with their students assigned elsewhere. The plan includes a county-wide magnet high.

New Castle County, De: Here where busing "works" Federal "judge" Schwartz lambasted school officials for lack of public confidence and warned they would be left with only children whose parents could not afford to remove them. In truth school officials have fallen all over themselves to please Schwartz.

NATIONAL ASSOCIATION FOR
NEIGHBORHOOD SCHOOLS, INC.
COMMUNICATIONS OFFICE
3905 MURIEL AVENUE
CLEVELAND, OHIO 44109

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Dear Ms. Dole, 9/23/81

We are parents very much opposed to forced busing of our sons. We moved from a home with a 2 yr. mortg. left on it, to a home with a 30 yr. mort. to get a better education for our sons and one in schools nearerour home. Oldest son who is in 9th grade has only to go out our back gate & 30 ft. & he is on the High School grounds, he leaves at 7:am and walks to school. What good would it do him to be bused to a neighbor. with lower educational opportunities and one half way across town? What can he learn on a bus???? My wife does not drive so the children must be near enough for her to reach in case of accident or illness. Pres. Reagan has promised the Amer. people that he would stop this waste of time & money & tax-ppayers hard-earned dollars. Please encourage him to keep his word to us. The blacks & whites do not want busing, it does nothing for the education of our children.

KEEP OUR CHILDREN IN THE SCHOOL DISTRICT WHERE WE PAY OUR TAXES.....

-- Louise + Harold E. McDonald

H. E. MCDONALD JR.
1264 VISITATION DR
ST LOUIS, MO.
63125

SEP 28 1981

Dear -
Business Ltr.

Ms. Elizabeth Dole
The White House
1600 Pennsylvania Ave., N.W.
Washington, D. C.
20500

STOP FORCED BUSING

NANS

NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

October 10, 1981

Robert A. McConnell, Esq.
Assistant Attorney General
Office of Legislative Affairs
U. S. Department of Justice
Constitution Ave. and 10th St., N. W.
Washington DC 20530

Dear Mr. McConnell:

Thank you for your letter of October 6, 1981, informing me that Mr. Max Friedersdorf, Assistant to the President for Legislative Affairs, had forwarded to you my letter to him as well as a copy I had sent to him of my testimony before the Senate's Constitution Subcommittee. I appreciate your sharing those materials with the appropriate officials in the Department.

I am enclosing for your perusal a copy of my forthcoming testimony before the House's Civil and Constitutional Rights Subcommittee. It is updated and somewhat more comprehensive than my Senate testimony and also includes statistical tables documenting statements made in the text. William Bradford Reynolds, head of the Civil Rights Division, already has a copy of this latter testimony.

It is my understanding that you are a legislative lobbyist for the Department. It is also my understanding that you had to be restrained by the Administration from lobbying the Congress in favor of the policy of forced busing.

I hope my testimony will contribute to at least a moderation of your views and activities on this issue, especially as they might counter the announced position of the Administration.

Cordially,

William D. D'Onofrio, President
National Association for Neighborhood Schools

cc: Hon. William French Smith
William Bradford Reynolds, Esq.
Mr. Max Friedersdorf
Mr. Morton Blackwell
Other interested parties

president's office
1800 W. 8th St.
Wilmington, DE 19805

communications office
3905 Muriel Ave.
Cleveland, OH 44109

membership office
4431 Okell Rd.
Columbus, OH 43224

STOP FORCED BUSING

NANS

January 4, 1982

Mr. Morton Blackwell
128 Executive Office Building
Washington, D.C. 20501

Dear Mr. Blackwell:

I want you and President Reagan to know that I oppose the current legislative attack on school desegregation. Court ordered desegregation and an aggressive governmental position against segregation in public supported services is essential to creating a more open society.

The legislation introduced by Senators East and Hatch are all dangerous. Not only do they signal a retreat from civil rights enforcement, but threaten the basic balance of powers that make this system of government work.

Court ordered desegregation has done a great deal to open up public education in the state where I live. While the success of this remedy cannot be judged in terms of immediate educational gains, I am happy to say it has already resulted in such gains in some communities. Furthermore, there are many other important ethical and social payoffs that result from this effort.

School desegregation has been a positive force in public schools where I live and I oppose the present legislative attempts to limit this activity.

Sincerely,

Susan C. Kaeser

Susan C. Kaeser

2697 Euclid Heights Boulevard
Apartment #5
Cleveland Heights, Ohio 44106

311 Wildbriar Dr.
Ballwin, Mo. 63011

February 1, 1982

Mr. Morton Blackwell
Office of Public Liaison
Room 191
Old Exec. Office Bldg.
White House
Washington, D. C. 20500

Dear Mr. Blackwell,

I urge you to let President Reagan know how strongly we NAS members feel about our Federal Judges' power in the school bussing cases. As a citizen of the Parkway School District in St. Louis County, I am learning exactly how much power these judges have, and how one judge can change the lives of a whole community, while we have little recourse in the matter.

I feel that the administration of local schools should remain with the local and state officials that are elected by the people — not the Federal judges; especially in the matter of forced-bussing of school children, solely for the purpose of racial balance.

I also urge you to support the Natti Amend

ment, which would prohibit the Federal judges from ordering forced bussing of school children.

Sincerely,
Priscilla Welter &
Family
(JOHN P. WELTER FAMILY)