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Busing of Schoolchildren

Mike Mansfield 1903-2001

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have meritorious aspects. We are simply anxious to proceed with the legislation.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SCOTT. I am glad to yield to the majority leader.

Mr. MANSFIELD. Mr. President, just about 10 minutes ago, I saw this news release. To say that I was surprised is to put it mildly; to say that I was shocked is to put it honestly; because in response to questions raised by the press, the distinguished Republican leader and I, separately, without each other's knowledge, to the best of my knowledge, said that we would both prefer to consider the possibility of statutory legislation because we felt that it would be quicker, that the matter of "busing" could be attended to more expeditiously—perhaps more fairly. In response to a question addressed to me by the press concerning a constitutional amendment, I believe I answered that I would prefer to meet the issue through legislation because it was quicker and because the need for some action is now. Not only do I feel that an amendment to the Constitution is unnecessary, it should be remembered that a constitutional amendment would as well require a two-thirds vote of both Houses and ratification by three-quarters of the States; and thus might prolong the consideration of this problem for a substantial period of time. I thought that the matter should not be avoided or prolonged but should be faced up to as expeditiously as possible. The goal I think all of us share is that of achieving quality education for all of the children of this Nation and of doing so on the basis of an equal opportunity for everyone concerned.

Mr. SCOTT. Mr. President, it is my understanding that the majority leader feels as I do; namely, that if any constitutional amendment on this subject is reported by a committee and is put on the calendar, ways will be found to bring it before the full Senate.

Mr. MANSFIELD. Absolutely. It is not the intention of the joint leadership—never has been—to block legislation.

It is the last sentence of this news release which surprises me, in which it is said:

I would hope Senators Scott and Mansfield would not block the Senate from taking up this busing amendment this year, regardless of how they personally view the issue.

It seems to me that what our distinguished colleague has done is to put words in our mouths and meanings into our minds which just were not there and are not there.

Again, I wish to emphasize, together with the distinguished Republican leader, that any legislation—constitutional amendment or not—reported by a committee will be given the utmost consideration by the Senate and as speedily as possible.

Mr. SCOTT. I thank the distinguished majority leader.

As a matter of fact, I am preparing and considering the submission of an amendment having to do with busing—on my own behalf and on behalf of other Senators who may wish to associate

themselves with me at the proper time and on the proper bill.

I am glad that the majority leader has spoken as he has. I am sure that the distinguished Senator from Florida will be reassured and can be entirely comfortable in his own mind that we will not confuse our leadership functions with our roles as individual Senators.

Mr. MANSFIELD. I am very glad that the distinguished Republican leader has brought up this matter. I believe that the distinguished Senator from Florida must have been under a misapprehension, because what he alleges in this release to the press could not be further from the truth.

Mr. SCOTT. The distinguished Senator from Florida has a very great concern in this matter, and he is representing his constituency. I fully understand his concern and his desire for action. I, myself, would be glad to do anything which would expedite whatever action the Senate decides to take in this matter.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. PERCY. Lest there be any misapprehension that this could be a speedy way to handle this very complex problem—the fact that it will be put on the floor if reported by a committee—I should like to say that as of now my strong feeling is that this is not the right way to go about it; that a constitutional amendment would be the wrong way to approach this problem; that we can better approach the problem through legislation. I would not want to see such constitutional amendments supported by the Senate. I was pleased to note that Vice President AGNEW concurs with this position.

Mr. SCOTT. I thank the Senator.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. BYRD of Virginia. Mr. President, the Senator from Virginia did not see the news article to which the Senator from Pennsylvania and the Senator from Montana have directed themselves.

But I was most encouraged to hear the Senator from Pennsylvania and the Senator from Montana—the minority leader and the majority leader—say that compulsory busing is an issue which the Senate should face up to at this session. I think that is encouraging.

I had not been aware that either the minority leader or the majority leader had in mind that the busing issue should be met with legislation at this session. I am pleased to hear that.

I am one of those who has felt that probably the effective remedy, and perhaps the only effective remedy, would be a constitutional amendment. But if the majority leader and the minority leader are willing to support effective legislation, then most certainly I would support such legislation. I want to see this matter handled as quickly as possible.

But a constitutional amendment approach could be used also, as was recommended by the distinguished Senator from Washington (Mr. JACKSON).

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Mr. SCOTT. Mr. President, the distinguished Senator from Florida (Mr. GURNEY) is unfortunately, I think, under the impression that the distinguished majority leader and I may have indicated that, by reason of our personal views that statutory action on busing legislation might be more expeditious and more effective and might accomplish the desired result more quickly, we would block any constitutional amendment.

I wish to assure the Senator from Florida, who has made a statement on this issue, that I would under no circumstances make any effort to block any constitutional amendment, including any on this subject, which might come from the appropriate committee. Those are leadership functions, and they would be exercised in strict good faith on behalf of all Senators.

I have merely stated that while I might at some time be in favor of a constitutional amendment, at this time I am leaning to the view that perhaps we can deal with this matter more effectively and with much greater benefit to the general public if we proceed by the statutory route.

That does not exclude constitutional amendments. They should, of course, be considered in committee. Some of them