



Bush team seeks time in U-M case

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President George W. Bush asked the U.S. Supreme Court on Tuesday to hear his arguments criticizing the University of Michigan's admission system as an illegal quota system. U.S. Solicitor General Ted Olson, acting as Bush's agent, asked the court for 10 minutes during oral arguments on April 1 to expand Bush's arguments. The arguments, detailed in legal briefs filed with the court last month, claim that U-M's law school and undergraduate policies unfairly reward or penalize students based on race.

Olson was reportedly unhappy that Bush's briefs did not ask the court to overturn the 1978 Supreme Court decision in the Bakke case, which struck down quotas but permitted the use of race as a factor in admissions. As an attorney in private practice, Olson represented two of four white plaintiffs in a case filed in 1992 against the University of Texas School of Law.

In arguments before the U.S. 5th Circuit Court of Appeals in New Orleans, Olson argued that diversity did not justify the use of race in admissions. In 1996, the court ruled the admissions policy unconstitutional. In the motion filed Tuesday, Olson said the two U-M cases raise "important questions concerning the consideration of race in university admissions," and that the U.S. Department of Justice has the responsibility to enforce the equal protection clause of the Constitution and federal civil rights laws.

Curt Levey, spokesman for the Center for Individual Rights, a Washington, D.C., law firm representing the three white plaintiffs in the two U-M cases, said the group would give Olson time to argue the government's case. Attorneys for the plaintiffs and U-M each have 30 minutes per case to argue their positions. The three white students sued U-M in 1997, claiming they were denied admission in favor of less-qualified minorities.

"Ted Olson is so well-respected on both sides of the political spectrum that he will be a substantial help in convincing the justices that our position is the correct one," Levey said. U-M spokeswoman Julie Peterson said the school is prepared to answer Olson's arguments. U-M has denied its admissions systems use quotas.

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[Carl Gutiérrez-Jones](#),

Department of English

University of California

Santa Barbara, CA 93106

E-mail: carlgj@english.ucsb.edu