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FOR IMMEDIATE RELEASE

MAY 22, 1975

Office of the White House Press Secretary

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THE WHITE HOUSE

The President today announced the appointment of eleven persons as members of the President's Commission on White House Fellowships. The members are:

Harry Hood Bassett, of Miami Beach, Florida,  
Chairman of the Board, First National Bank, Miami,  
Florida.

James Edward Connor, of Big Cove Tannery, Pennsylvania,  
Secretary to the Cabinet, The White House, Washington,  
D.C.

Walter G. Davis, of Silver Spring, Maryland, Director  
of Education, AFL-CIO, Washington, D.C.

Miles W. Kirkpatrick, of Philadelphia, Pennsylvania,  
Partner in the law firm of Morgan, Lewis and Bockius,  
Philadelphia, Pennsylvania.

Peter F. Krogh, of Bethesda, Maryland, Dean, School  
of Foreign Service, Georgetown University, Washington,  
D.C.

Alan J. Pifer, of Green Farms, Connecticut, President,  
Carnegie Corporation of New York, New York.

William W. Scranton, of Dalton, Pennsylvania, Former  
Governor of Pennsylvania; Chairman of the Board, North-  
eastern National Bank of Pennsylvania, Dalton, Pennsylvania.

Henry C. Self, of Marks, Mississippi, Managing Partner,  
Self and Company, Marks, Mississippi.

Herbert J. Storing, of Chicago, Illinois, Professor of  
Political Science, University of Chicago, Chicago, Illinois.

David B. Truman, of South Hadley, Massachusetts,  
President, Mount Holyoke College, South Hadley, Massachusetts.

George H. Weyerhaeuser, of Tacoma, Washington, President  
and Chief Executive Officer, Weyerhaeuser Company,  
Tacoma, Washington.

The President today is also designating Miles W. Kirkpatrick to serve as Chairman of the Commission. He succeeds Francis Dale who has resigned.

The Commission was established in 1964 to conduct an annual national competition for White House Fellows, who serve for 1 year as special assistants to senior members of the White House staff and members of the Cabinet. It also organizes an education program for the Fellows during their tenure in Washington.

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THE WHITE HOUSE  
WASHINGTON

November 7, 1974

MEMORANDUM FOR: PHILIP BUCHEN

FROM: WILLIAM N. WALKER *W. Walker*

SUBJECT: President's Commission on  
White House Fellowships

We are aware of Geoff Shepard's interest in appointment to the President's Commission on White House Fellowships. Bob Shaw has talked with Geoff and indicated to him that he will be considered for the Commission when an overall review of Commission membership is completed later this year. Normally, no additional appointments would be made until next spring. However, it is our current intention to solicit resignations from some Commissioners and make new appointments in January. You should be aware that there are other former White House Fellows, including Warren Rustand on the White House staff, who also seek a position on the Commission.



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W. is right

THE WHITE HOUSE  
WASHINGTON

November 1, 1974

MEMORANDUM FOR: WILLIAM WALKER  
FROM: PHIL BUCHEN *P.W.B.*

Geoff Shepard of the Domestic Council, who will be leaving for private practice at the end of the year, asks that he be considered for appointment to the White House Fellows Commission.

He was originally a White House Fellow and is very interested in seeing the program improved.

*Walker*



THE ACS

to 10:

11/4/74

*W H Fellows*

November 1, 1974

MEMORANDUM FOR: WILLIAM WALKER  
FROM: PHIL BUCHEN

Geoff Shepard of the Domestic Council, who will be leaving for private practice at the end of the year, asks that he be considered for appointment to the White House Fellows Commission.

He was originally a White House Fellow and is very interested in seeing the program improved.



THE WHITE HOUSE

WASHINGTON

November 24, 1975

MEMORANDUM FOR:

JIM CONNOR

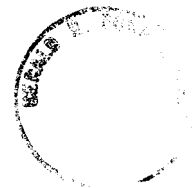
FROM:

PHILIP BUCHEN *P.*

Attached is a copy of a complaint filed on November 21 which involves the practices and policies of the President's Commission on White House Fellowships. I do not know that the complaint has been formally served, but this is an information copy sent to me by counsel for the plaintiffs.

You may want to suggest how the Press Office should react in the event of questions from the press, and I would be glad to help in that regard as you desire.

Attachment



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DOUGLAS G. THOMPSON, JR.  
ALAN S. WEITZ  
GARY D. WILSON  
WALTER T. WINSLOW, JR.  
ROGER M. WITTEN

November 21, 1975

Dear Phil:

In accordance with our telephone conversation, I enclose herewith a copy of the complaint filed this afternoon against the President's Commission on White House Fellowships charging discrimination on the basis of sex.

With best regards,

Sincerely,

*John H. Pickering*

The Honorable Philip W. Buchen  
Counsel to the President  
The White House  
Washington, D. C. 20500

Encl.

E



UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

SERENA A. STIER, Individually and on  
behalf of the class of all others  
similarly situated,  
5750 Oregon Avenue, N. W.  
Washington, D. C. 20015  
Telephone: (202) 363-1547

Plaintiff,

v.

PRESIDENT'S COMMISSION ON WHITE  
HOUSE FELLOWSHIPS,  
Washington, D. C. 20415  
Telephone: (202) 382-4661

and

ROBERT ABPLANALP, in his official  
capacity as a Member, President's  
Commission on White House Fellowships,  
Washington, D. C. 20415  
Telephone: (202) 382-4661

and

HARRY HOOD BASSETT, in his official  
capacity as a Member, President's  
Commission on White House Fellowships,  
Washington, D. C. 20415  
Telephone: (202) 382-4661

and

MERCEDES A. BATES, in her official  
capacity as a Member, President's  
Commission on White House Fellowships,  
Washington, D. C. 20415  
Telephone: (202) 382-4661

and

KENNETH R. COLE, JR., in his official  
capacity as a Member, President's  
Commission on White House Fellowships,  
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Telephone: (202) 382-4661

and

JAMES E. CONNOR, in his official  
capacity as a Member, President's  
Commission on White House Fellowships,  
Washington, D. C. 20415  
Telephone: (202) 382-4661

and

Civil Action No.

75-1953





WALTER G. DAVIS, in his official  
capacity as a Member, President's  
Commission on White House Fellowships,  
Washington, D. C. 20415  
Telephone: (202) 382-4661

and

ROBERT H. FINCH, in his official  
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and

NEAL B. FREEMAN, in his official  
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ROBERT E. HAMPTON, in his official  
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and

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and

THOMAS J. JOHNSTON, in his official  
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and

MILES W. KIRKPATRICK, in his official  
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Commission on White House Fellowships,  
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ELIZABETH A. KOVACHEVICH, in her  
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and

PETER F. KROGH, in his official  
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ALAN PIFER, in his official  
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and

DAVID TRUMAN, in his official  
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Commission on White House Fellowships,  
Washington, D. C. 20415  
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and

GEORGE WEYERHAEUSER, in his official  
capacity as a Member, President's  
Commission on White House Fellowships,  
Washington, D. C. 20415  
Telephone: (202) 382-4661

Defendants.



COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiff, for her complaint, alleges as follows:

Nature of Action, Jurisdiction and Venue

1. This Complaint is based upon discriminatory actions taken by defendants in denying plaintiff and others in the class she represents employment as White House Fellows solely on the basis of their sex. The action arises under the Fifth Amendment to the Constitution and the laws of the United States, including Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq., as amended by the Equal Employment Opportunity Act of 1972, 42 U.S.C. § 2000e-16; Executive Order No. 11478, 34 Fed. Reg. 12985 (1969), as amended by Executive Order No. 11590, 36 Fed. Reg. 7831 (1971); and Executive Order No. 11183, 29 Fed. Reg. 13633 (1964), which charge defendants with the affirmative responsibility of providing equal employment opportunities to applicants for White House Fellowships, regardless of sex, and prohibit defendants from discriminating against such applicants on account of their sex.

2. This Court has jurisdiction under 28 U.S.C. § 1331 and 42 U.S.C. §§ 2000e-5(f)(3) and -16(c). The amount in controversy exceeds the sum of \$10,000, exclusive of interest and costs. There exists between the parties an actual controversy, justiciable in character, in respect to which, pursuant to the provisions of 28 U.S.C. §§ 2201 and 2202, plaintiff requests a declaration of her rights and appropriate further relief.

3. Plaintiff resides within the District of Columbia. Defendant President's Commission on White House Fellowships has its principal office in the District of Columbia. The cause of



action arises in the District of Columbia and plaintiff in this action would have worked in the District of Columbia but for the alleged unlawful discrimination. Accordingly, venue lies within the District of Columbia under 28 U.S.C. § 1391 and 42 U.S.C. §§ 2000e-5(f)(3) and -16(c).

#### Parties

4. Plaintiff, a woman, is a resident of the District of Columbia and the widowed mother of three children. She is a Phi Beta Kappa graduate of Stanford University and holds a doctorate in clinical psychology from the University of California at Los Angeles. Plaintiff received a post-doctoral fellowship from the United States Public Health Service during which she studied family and child therapy, and she has been Assistant Professor of Medical Psychology at the Neuropsychiatric Institute, UCLA. Plaintiff was a founding member of the California School of Professional Psychology, the first school in the United States devoted to the training of professional psychologists. Plaintiff, who is listed in Who's Who of American Women, has published a number of articles in her professional field, and has made presentations of her work at numerous professional gatherings, such as the American Psychological Association Convention and the California State Psychological Association Convention. Plaintiff is presently employed as Administrative Officer of Policy Studies for the American Psychological Association, Washington, D. C. In 1974, she applied for a position as a White House Fellow for the 1975-76 Fellowship Year and was selected as one of the 32 finalists in the competition.

5. Defendant President's Commission on White House Fellowships, established in 1964 by Executive Order No. 11183, 29 Fed. Reg. 13633, is a Commission established to conduct an



annual national competition for positions as White House Fellows. The Commission advises the President of its final recommendations of candidates, from among whom the President may select White House Fellows. White House Fellows serve for one year as special assistants to the White House staff, in the Executive Office of the President, in the Office of the Vice President, or in the offices of members of the Cabinet.

6. Miles W. Kirkpatrick, who is sued in his official capacity, is Chairman of the Commission. The remaining defendants, who are also sued in their official capacities, are members of the President's Commission on White House Fellowships. Members of the Commission participate in the process of selecting individuals to be White House Fellows.

#### Class Action Allegations

7. This action may properly be maintained as a class action under Rules 23(a) and (b)(2) of the Federal Rules of Civil Procedure and Rule 1-13 of the Rules of the United States District Court for the District of Columbia.

8. The individual plaintiff brings this action on her own behalf and on behalf of the class she seeks to represent: all past, present and future women qualified for positions as White House Fellows. This class of persons numbers at least in the hundreds and is so numerous that joinder of all its members is impracticable.

9. There are questions of law and fact common to all members of the class. The Fifth Amendment; Title VII of the Civil Rights Act of 1964, as amended; and Executive Orders No. 11478 and No. 11183 impose upon defendants a common obligation to plaintiff and to each member of the class she represents to provide equal employment opportunity. The principal common



question here is whether defendants have unlawfully discriminated against women in soliciting and selecting applicants for positions as White House Fellows.

10. Plaintiff's claims are typical of those of the class, and plaintiff will fairly and adequately protect the interests of the class. Defendants have discriminated against plaintiff and members of the class she represents by denying them positions as White House Fellows, and also a fair opportunity to compete for such positions, on the basis of sex as described below in Paragraphs 12 through 14. Plaintiff is an adequate representative of the class. She has communicated with a number of the members of the class from time to time concerning the discriminatory actions of the defendants and has brought to the attention of the Commission her belief that selection of White House Fellows has involved discrimination against women. Furthermore, plaintiff asserts no position antagonistic to or at conflict with that of other members of the class, and she and her attorneys are prepared and able to prosecute this action vigorously and expeditiously.

11. By discriminating against plaintiff and members of her class on the basis of sex, the defendants have acted or refused to act on grounds generally applicable to the class which plaintiff represents, thereby making appropriate final declaratory and injunctive relief with respect to the class as a whole.

#### Count I

12. In November 1974, plaintiff applied for a position as a White House Fellow for the 1975-76 Fellowship Year. She was selected as one of the 119 Regional Semi-Finalists in February 1975 and, subsequently, as a Regional Finalist. In



April 1975, plaintiff was chosen as one of 32 National Finalists in the White House Fellow competition. On May 16-19, 1975, plaintiff participated in the Final Selection Weekend during which she was interviewed by members of the President's Commission on White House Fellowships. No Commissioners had interviewed plaintiff prior to the Final Selection Weekend. On May 19, 1975, plaintiff was notified by letter that she had not been selected as a White House Fellow.

13. During the Final Selection Weekend, certain members of the Commission asked plaintiff numerous questions not relevant to any bona fide criterion for selection as a White House Fellow, such as what she would do if one of her children became ill. Similar questions concerning family relationships were asked of other women finalists by some of the Commissioners. Upon information and belief, no Commissioner asked such questions of any of the male finalists, with the exception of one Commissioner. Upon information and belief, throughout the course of the selection process for White House Fellows, women were measured according to standards that were not applied to their male counterparts and that were not relevant to any bona fide criterion for selection as a White House Fellow.

14. A disproportionately small number of women have been appointed as White House Fellows. In the 1975-76 Year, for example, of the 32 National Finalists in the competition, 10, or approximately 30%, were women. Of the 14 persons selected as White House Fellows, only 2, or 14%, were women. Plaintiff was equally or better qualified to be a White House Fellow than most of the male finalists chosen.



15. On or about June 20, 1975, plaintiff first learned of the provisions of 5 C.F.R. § 713.211, et seq. establishing a procedure for pursuing an administrative remedy in employment discrimination cases. On June 24, 1975, plaintiff sent a letter to Mr. Bruce Hasenkamp, Director of the President's Commission on White House Fellowships, informing him that she wished to commence pre-complaint proceedings with the Commission's Equal Employment Opportunity Counselor in accordance with 5 C.F.R. § 713.213. On June 30, 1975, plaintiff received a letter from Mr. Hasenkamp advising her that since White House Fellows are presidential appointees, they fall under the excepted service category and are not covered by the Equal Employment Opportunity Act of 1972 or the Civil Service Commission regulations, 5 C.F.R. Part 713.

16. On July 16, 1975, plaintiff sent a letter to Mr. Hasenkamp stating that she had been informed by the Office of the General Counsel of the Civil Service Commission that the White House Fellowship Program is not exempted from coverage by the Equal Opportunity Employment Act of 1972, or from the Civil Service Commission regulations. By letter of July 18, 1975, Mr. Hasenkamp responded, stating that the legal issues raised by plaintiff's June 24th letter were still being studied by counsel and that, pending further advice from counsel, he would proceed to process plaintiff's inquiry. Mr. Hasenkamp stated that, as a first step, plaintiff should contact a Civil Service Commission Equal Employment Opportunity Counselor to discuss the matter.

17. Shortly thereafter, plaintiff met with a Counselor in an attempt to resolve informally her complaint, as required by the applicable regulations (5 C.F.R. § 713.213). On August 29,





1975, plaintiff received a letter from her Counselor which quoted from an advisory opinion of the General Counsel of the Civil Service Commission concluding that the procedures of 5 C.F.R. § 713 apply to the President's Commission on White House Fellowships. The Counselor stated, however, that there were unresolved legal questions in plaintiff's case. The letter further informed plaintiff that the twenty-one days allowed by regulation (5 C.F.R. § 713.213) in which the Counselor may attempt to informally resolve complaints had elapsed without resolution of the matter. By letter of September 11, 1975, within the 15-day period allowed by regulation to file a complaint (5 C.F.R. § 713.213), plaintiff informed Mr. Hasenkamp that she had met with a Counselor, that she understood that there were still some unresolved issues concerning her inquiry, and that she should not be subject to the 15-day limitation. On September 29, 1975, Mr. Hasenkamp acknowledged plaintiff's letter of September 11 and stated that the question of whether the President's Commission on White House Fellowships is subject to the Civil Service Commission Equal Employment Opportunity regulations had not been resolved. He further stated that he considered plaintiff's letter of September 11, 1975, a request for a waiver of the 15-day period and that, in the event it was finally determined that the Civil Service Commission regulations were applicable to the Commission, his letter could be considered a grant of that waiver.

18. On October 22, 1975, plaintiff received a letter from Mr. Hasenkamp dated October 20, 1975, which quoted from a further opinion from the Civil Service Commission General Counsel which concluded that the President's Commission on White House Fellowships was not subject to the Equal Employment Opportunity Act of 1972 and the Civil Service Commission regulations issued thereunder. Mr. Hasenkamp returned plaintiff's original letter to her.

19. As set forth in Paragraphs 12-14 above, defendants have unlawfully discriminated against plaintiff and against the members of the class she represents in violation of Title VII of the Civil Rights Act of 1964, as amended, by denying plaintiff and members of her class positions as White House Fellows solely on the basis of their sex. As set forth in Paragraphs 16-18 above, plaintiff has exhausted her administrative remedies and, accordingly, she has a right to maintain this action.

Count II

20. Plaintiff re-alleges, and hereby incorporates by reference, the allegations set forth in Paragraphs 12 through 18 above.

21. Executive Orders No. 11478 and No. 11183 expressly place upon the defendants the obligation to select White House Fellows without discrimination on the basis of sex. The actions taken against plaintiff and the members of her class, re-alleged by incorporation in Paragraph 20 are in violation of this prohibition against sex discrimination in employment.

Count III

22. Plaintiff re-alleges, and hereby incorporates by reference, the allegations set forth in Paragraphs 12 through 18 above.

23. Defendants' actions as re-alleged by incorporation in Paragraph 22 are in violation of plaintiff's Fifth Amendment right to be free of discrimination in employment on the basis of sex.



19. As set forth in Paragraphs 12-14 above, defendants have unlawfully discriminated against plaintiff and against the members of the class she represents in violation of Title VII of the Civil Rights Act of 1964, as amended, by denying plaintiff and members of her class positions as White House Fellows solely on the basis of their sex. As set forth in Paragraphs 16-18 above, plaintiff has exhausted her administrative remedies and, accordingly, she has a right to maintain this action.

Count II

20. Plaintiff re-alleges, and hereby incorporates by reference, the allegations set forth in Paragraphs 12 through 18 above.

21. Executive Orders No. 11478 and No. 11183 expressly place upon the defendants the obligation to select White House Fellows without discrimination on the basis of sex. The actions taken against plaintiff and the members of her class, re-alleged by incorporation in Paragraph 20 are in violation of this prohibition against sex discrimination in employment.

Count III

22. Plaintiff re-alleges, and hereby incorporates by reference, the allegations set forth in Paragraphs 12 through 18 above.

23. Defendants' actions as re-alleged by incorporation in Paragraph 22 are in violation of plaintiff's Fifth Amendment right to be free of discrimination in employment on the basis of sex.



PRAYER FOR RELIEF

WHEREFORE, plaintiff demands judgment:

1. Declaring that the obligation to provide equal employment opportunity, without discrimination on the basis of sex, pursuant to Title VII of the Civil Rights Act of 1964, as amended, applies to the President's Commission on White House Fellows;
2. Declaring that the defendants have discriminated against her and members of the class she represents on the basis of sex in violation of Title VII of the Civil Rights Act of 1964, as amended, Executive Orders No. 11478 and No. 11183, and the Fifth Amendment of the Constitution;
3. Enjoining the defendants and their successors from further discriminating against plaintiff and the members of the class she represents on the basis of sex;
4. Directing defendants forthwith to reactivate plaintiff's application for a White House Fellowship, to name plaintiff as a National Finalist for the 1976-77 Fellowship Year, and to recommend her to the President for appointment as a White House Fellow for the 1976-77 Year;
5. Awarding plaintiff damages, reasonable attorney's fees and her costs of suit; and
6. Awarding such other and further relief as the cause may require and the court may deem just and proper.



Respectfully submitted,

Sally Katzen  
Sally Katzen

Frances M. Green  
Frances M. Green

Of Counsel:

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